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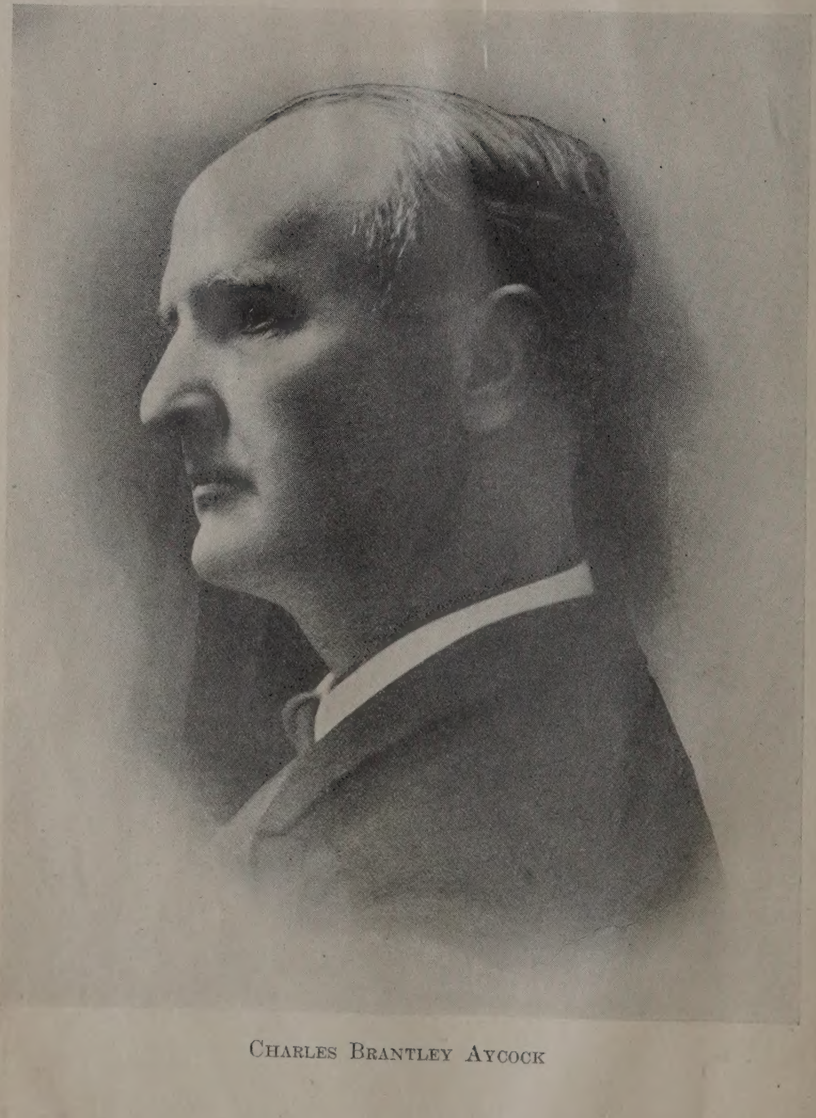

Charles Brantley Aycock

HISTORY

OF

NORTH CAROLINA

VOLUME III

NORTH CAROLINA SINCE 1860

By J. G. de ROULHAC HAMILTON, Ph. D.
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STEADFAST FRIEND
MY WIFE
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PREFACE

This final volume of the present series is concluded with the full consciousness that, because it deals in great part with a period so recent, it cannot be regarded in its entirety as definitive history, if, indeed, there is any such thing. Approximately half of the space of the narrative is devoted to the period of the Civil War and Reconstruction. With the addition of one chapter on military affairs in the state, it summarizes the narrative and conclusions contained in my *Reconstruction in North Carolina*, published in 1914, and covering the period in much greater detail. Sufficient time has already passed to permit interpretation of that period with some pretension to finality, and I have not modified the conclusions reached in the former work.

In respect to the period since 1876, while I have sought always to present with the narrative of fact sufficient interpretation to make an accurate picture of the time, and while I came to the task with little political prejudice and leave it with less, I am aware that there has not been a sufficient lapse of years, for any part of it, to make it a proper subject for definitive historical narrative, much less for any authoritative interpretation. Undoubtedly, some of my conclusions will be altered with the passage of time, and certainly it will be possible later to secure the use of a vast amount of material, now inaccessible, which will make the narrative much more complete and the interpretation more accurate. Where I have attempted any interpretation it has been with a full consciousness of the difficulty and danger of the proceeding, and I have carefully refrained where there appeared to be any doubt whatever of its correctness.

For the later period the chief sources of material have been the newspapers, public documents, political handbooks, the census reports, and contemporary pamphlets and speeches. There is an almost complete lack of secondary material and as yet but few letters are available.

To the great number who have given kind and generous assistance in the difficult task I return my grateful thanks. In particular, I wish to express my indebtedness to Col. F. A. Olds, of the North Carolina Hall of History, through whose kindness the greater number of the illustrations were secured.

Chapel Hill, N. C. J. G. de Roulhac Hamilton.
January 28, 1918.

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History of North Carolina

CHAPTER I

SECESSION AND WAR

The election of Lincoln in 1860 served as the signal for the secession of the Cotton States, but in the Border States it was soon clear that to a goodly majority of the people, the election of a President by a sectional party furnished in itself not a sufficient cause for withdrawal from the Union. Nevertheless, the action of the Cotton States precipitated a crisis and made the action of every border state a matter for grave debate. 13

North Carolina was no exception to this rule. Even before the legislature of 1860-1861 met, the people, through public meetings sought to turn popular sentiment for or against secession, and when the sessions of the legislature began, a struggle for supremacy between the two factions into which the state, irrespective of party, was now divided, commenced at once and lasted without intermission until definite action was finally taken. In the main, the whigs were Union men, and the bulk of secessionists were democrats, but further than this, party affiliations did not influence the struggle.

The battle commenced when the General Assembly met. All the members seemed conscious of the gravity of the situation and of the importance of the work ahead of them. The elements favorable to secession were well organized, and this fact later prevented some of the Union men from voting with them on the question of a convention. The body, as a whole, was able and conservative, but still there was a tendency on the part of some of the Union men to be factious, and some of the secessionists were illiberal.

The governor, in his message, recommended the call of a convention, although he did not openly advocate secession. A joint committee of the two houses upon federal relations finally reported favorably a bill submitting the question to the people which after long and heated debate was finally passed late in January, receiving the support of many Union men who thought a convention would do much to relieve tension and who believed that Union men would control it.

In the meantime, provision was made for the reorganization of the militia, a considerable volunteer force was authorized, $300,000 were appropriated to buy arms, and commissioners were sent to represent the state near the Confederate government which was about to be formed. An able delegation was also later appointed to attend the sessions of the Peace Conference, called by the State of Virginia to meet in Washington in a final attempt at compromise. Among conservative men the Peace Conference appeared to offer the best hope of a pacific settlement of the vital national problem confronting the people of the United States, and its utter failure brought keenest disappointment as well as the gravest forebodings. The secession movement also received considerable impetus.

The contest which followed was heated. Secession sentiment was much more loudly expressed than Union feeling and at times seemed dominant. The majority of the state's senators and representatives in Congress favored a convention, and exerted much influence. Excitement was caused, too, by the existence within the borders of the state of four United States posts, Forts Johnston, Caswell, and Macon, and the arsenal at Fayetteville, which keenly stimulated a genuine fear of interference by the Federal government in what everyone regarded as exclusively a state matter. Just before the passage of the convention bill Forts Johnston and Caswell were seized by hotheads from Wilmington, but Governor Ellis forced their immediate evacuation.

On February 28th, the convention was defeated by the narrow margin of 651 votes. At the same time the delegates chosen showed a Union majority of twenty-eight. Clearly the state was in no mood for secession for any causes existent at the time. And yet no one believed the question settled. It was only a delay, momentarily favorable to the Unionists, a triumph of the "Watch and Wait" policy advocated by W. W. Holden in the *Standard*. The secessionists, while disappointed, were not downcast and immediately commenced organization of their forces and the education of public sentiment by a new series of public meetings. A state conference was held in Goldsboro under the presidency and leadership of Weldon N. Edwards at which a party was duly organized and a call issued for a state convention at Charlotte on May 20th.

Before that time came, however, the question of the state's position was definitely settled, not by secessionists but by the logic of events. Fort Sumter fell, Lincoln called for troops which Governor Ellis promptly refused to furnish, and all doubt disappeared as to the proper course to pursue. Governor Ellis at once called the legislature into extra session, ordered the seizure of the United States posts in the state, promised the Confederate government a regiment for immediate service, and called for thirty thousand volunteers. By these acts North Carolina was definitely identified with the seceded states and was included in President Lincoln's proclamation of April 27th, declaring the Southern ports blockaded. No one in North Carolina questioned this inclusion, so definitely were the people committed to the defense of the South. The Union leaders and press frankly admitted the necessity of withdrawal from the Union in preference to fighting the other Southern states, and it was solely on that basis that North Carolina entered the war. The legislature met on May 1st, and within a few hours passed, with only three dissenting votes, a bill calling a convention of the people. This done, it turned its attention to active preparations for war. The election of delegates to the convention was held on May 17th and on May 20th, the convention assembled in Raleigh, in membership, easily the ablest and most distinguished public assembly in the history of the state, on account of the fact that party lines were ignored in the choice of delegates. It was for that very reason full of political leaders who could not forget politics even in the midst of a great crisis. At the beginning of the session this was made apparent when the former Union element, who were inclined to doubt or even deny the constitutionality of secession, nominated for president of the convention William A. Graham in opposition to Weldon N. Edwards, the candidate of the original secessionists. The election was a test of strength of the two factions and resulted in the triumph of the secessionists who elected Edwards by a vote of sixty-five to forty-eight.

WELDON N. EDWARDS

A second manifestation of the division of sentiment as well as of the inclination of the delegates to play politics was the support by the Union element of Judge Badger's declaration of independence from the United States in opposition to the Craige ordinance which had been written by Judah P. Benjamin at Montgomery and sent to Governor Ellis. This of course assumed the complete sovereignty of the state. Here again the secessionists triumphed and after the defeat of the Badger ordinance, seventy-two to forty, the Craige ordinance was adopted unanimously. It was as follows:

> An ordinance dissolving the union between the State of North Carolina and the other states united with her under the compact of government entitled "The Constitution of the United States."
>
> *We, the people of the State of North Carolina, in convention assembled, do declare and ordain, and it is hereby declared and ordained,* that the ordinance adopted by the State of North Carolina in the convention of 1789, whereby the Constitution of the United States was ratified and adopted, and also all acts and parts of acts of the General Assembly, ratifying and adopting amendments to the said Constitution, are hereby repealed, rescinded, and abrogated.
>
> *We do further declare and ordain* that the union now subsisting between the State of North Carolina and the other States, under the title of "The United States of America," is hereby dissolved, and that the State of North Carolina is in full possession and exercise of all those rights of sovereignty which belong and appertain to a free and independent State.

The provisional constitution of the Confederate States was then ratified. Some difference of opinion manifested itself on the question of ratification of the permanent constitution but the forces in favor of such action were too strong to be overcome and on June 19th ratification was finally accomplished.

With the completion of these acts of separation, factional differences disappeared for a time and the convention, instead of adjourning, or, at least, confining its activities to constitutional revision or to the passage of ordinances of an organic nature, began to legislate. This was politics. As time passed criticism of the convention became widespread. It was controlled by a conservative group of elderly men who were mainly former whigs and unionists and for that reason out of sympathy with the legislature, with its secessionist majority, and apparently they were determined to keep themselves in power. They postponed the meeting of the legislature, debated seriously the question of dissolving it, and clearly regarded themselves as supreme, which doubtless, in law, if not in morals, they were. Finally the more extreme of the delegates proceeded with some secrecy to form a party which they later called conservative. Composed in the main of good men, it was nevertheless a serious obstacle to united feeling and united action and helped mightily to bring about the seditious politics of the next three years. Its first partisan act was insistence upon a party electoral ticket at the presidential election of 1861 to oppose one already nominated. Since both were committed to Davis and Stephens, it could have no other motive than partisanship. The convention adjourned at the end of June, met again in November for a month, met for another month's session in January, 1862, and began the fourth and final session in April and finally adjourned on May 13th, subject to the call of the President. If not called by November 1st, the adjournment became *sine die.* By this time it was bitterly unpopular. Governor Vance, soon after his election, tried to persuade Edwards to summon it again, but Edwards, doubtful of the governor's intentions and still more doubtful of the convention, refused to consider it, and the adjournment became final. Its chief constructive work were two amendments to the constitution providing for ad valorem taxation of slaves, and allowing Jews to hold office.

CHAPTER II

MILITARY AND NAVAL OPERATIONS IN NORTH CAROLINA

In spite of the strong Union feeling in the state and the long delay in seceding, when once the die was cast, there was no indecision in support of the cause. A peace-loving, agricultural population with only a small group of trained soldiers to organize and prepare the troops for service, without arms, ammunition, and equipment, and with no facilities for making or procuring them, the people of the state turned resolutely and unreservedly to the task before them. In charge of the work of organization was James G. Martin, adjutant-general of the state, a graduate of West Point and a veteran of the Mexican War. He was admirably adapted for the task, and taking the volunteers as they poured in, he proceeded to organize them for training and service. Within seven months the state turned over to the Confederacy forty thousand men, armed and ready for service. By August, 1862, the total number of volunteers was more than sixty thousand. More than twenty-one thousand had been added by November, 1864. In addition there were conscripts, reserves, and detailed men. The report of the adjutant-general, made November 19, 1864, summarizes them as follows:

Number of troops transferred to the Confederate service	64,636
Number of conscripts September 30, 1864	18,585
Number of volunteers since date of original rolls	21,608
Number in unattached companies and in regiments from other states	3,103
Number of regulars in state service	3,203
Total offensive troops	111,135

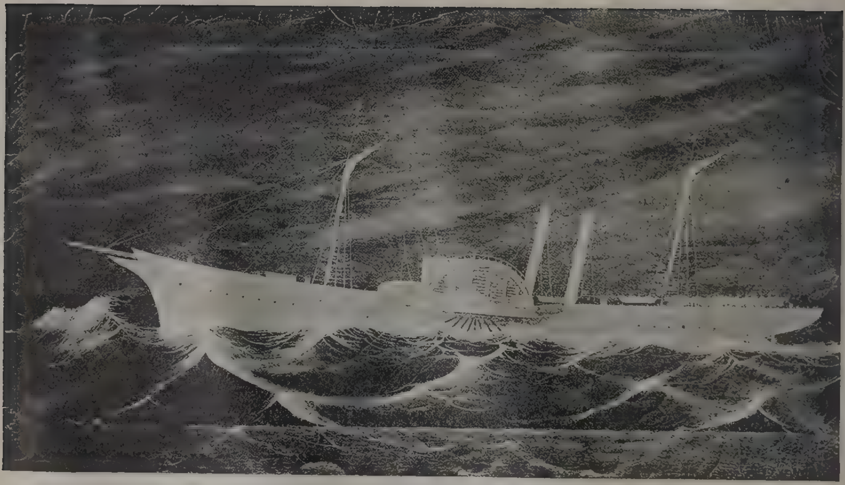
Junior reserves	4,217
Senior reserves	5,686
Troops in active service	121,038
Home Guard and Militia	3,962
Total in state and Confederate service	125,000

These were organized into more than eighty regiments. After the troops were raised, they had to be armed and equipped. The state had already a few muskets and captured thirty-seven thousand in the arsenal at Fayetteville, along with a battery of artillery and a considerable quantity of ammunition and equipment. Some of the muskets were given to Virginia and the rest turned over to the North Carolina regiments. They did not go far and the deficiency was supplied in part by remaking old rifles collected in the state, by importing them from abroad, and by manufacturing them in various parts of the state, ten thousand being made by one firm in Guilford County alone. The Confederacy armed some of the regiments and captured arms supplied the rest. Powder was made in great quantity at Raleigh by a mill subsidized by the state. So abundant was the supply that the state was able to furnish the Confederate government with more than $500,000 worth in one year. The state also started a cartridge factory which was operated throughout the war. Sabres, swords, and bayonets were also made in large quantities.

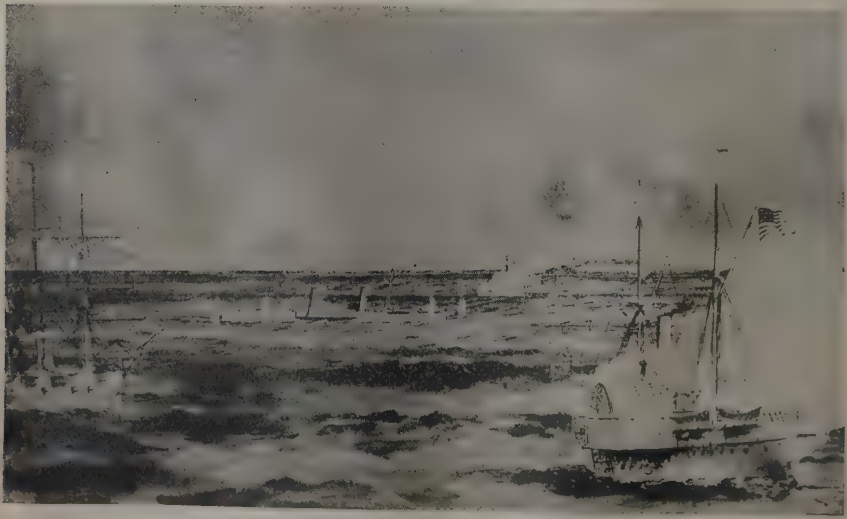
Alone of the Confederate States, North Carolina undertook to clothe her soldiers. The legislature in 1861 directed the adjutant-general to furnish the clothing and an agreement was made with the quartermaster's department of the Confederacy that the agents of the department should be withdrawn from the state, and North Carolina, furnishing clothes and shoes and turning over any surplus to the Confederacy, was to receive commutation therefor. But the agreement was violated by the department and the cost to the state largely increased thereby. Nevertheless, the work was continued. General Martin had little time before winter but he organized a clothing factory, purchased the entire output of all the cloth mills in the state and sent agents into South Carolina and Georgia to buy what they could there. The women of the state co-operated splendidly, cutting up carpets for blankets, making quilts, and sending such clothing as could be used. As a result there was little suffering among the North Carolina troops the first winter.

The next year, however, with a vastly increased number of troops and the supplies in the state greatly decreased, the problem was much more serious. General Martin then concluded that the solution was for the state to buy a fast vessel and bring supplies in through the blockade. Governor Clark, who was about to go out of office, asked that the matter be deferred until Vance could decide it. When Vance was inaugurated Martin advised that it be done at once. Vance laid the question before a number of friends, including B. F. Moore who attacked it as unwarranted by law and likely to result in the impeachment of the governor and adjutant-general. Holden who was also present opposed it bitterly for reasons of his own. General Martin contended that it would be no more illegal than to buy a wagon.

After consideration Vance took Martin's advice and authorized him to buy the ship. John White was sent abroad to make the selection and purchase. The "Lord Clyde," which Vance described as "long-legged," was bought for $190,000 and re-named the "Ad-Vance." It was an English boat, built for passenger service, and capable of great speed. After the necessary changes were made, it was able to carry eight hundred bales of cotton and a double supply of coal which enabled it to bring enough Welsh coal from Nassau for the return trip, and thus avoid the use of the smoky North Carolina coal. Eleven successful trips were made. After the fifth trip Governor Vance sold a half-interest for $130,000, with which he redeemed state bonds. The vessel was finally lost through the act of the captain of the Confederate cruiser, "Tallahassee." Being short of coal, he took from the "Ad-Vance" her extra supply. This obliged her to make her outward trip with North Carolina coal, which reduced her speed, left a trail of smoke, and thus made her fall a victim to the Federal blockaders. The state also had an interest in the



THE BLOCKADE-RUNNER "AD-VANCE"
From a war-time painting in the Hall of History, Raleigh



CAPTURE OF THE "LILLIAN"

"Hansa" and the "Don." Their use, however, was abandoned on account of the excessive charge made by the Confederate government, one-half of each cargo being seized. Through the use of these vessels an immense amount of valuable stores was imported. No entirely accurate figures can be obtained as to the amount, but Governor Vance said in 1885 that he had distributed large quantities of machinery, 60,000 pairs of hand wool cards, 10,000 scythes, 200 barrels of bluestone for fertilizing wheat, 250,000 pairs of shoes, 50,000 blankets, cloth for 250,000 uniforms, 12,000 overcoats, 2,000 Enfield rifles with 100 rounds of ammunition each, 100,000 pounds of bacon, 500 sacks of coffee, $50,000 worth of medicines at gold prices, and an immense supply of minor stores. Through this means the North Carolina troops were clothed. Nor were North Carolina troops alone served. After Chickamauga Longstreet's men received 14,000 complete uniforms and when Johnston surrendered the state had on hand 92,000 suits. To pay for all these things some cotton was sent out and warrants were issued payable in cotton and rosin in North Carolina which the Union army afterwards captured.

With the same activity and forethought vast supplies of food were secured. Much was bought in Kentucky before communication was closed and at the same time horses for two regiments were bought. The supplies increased during the war, and for some months before the end the state fed more than half of Lee's army.

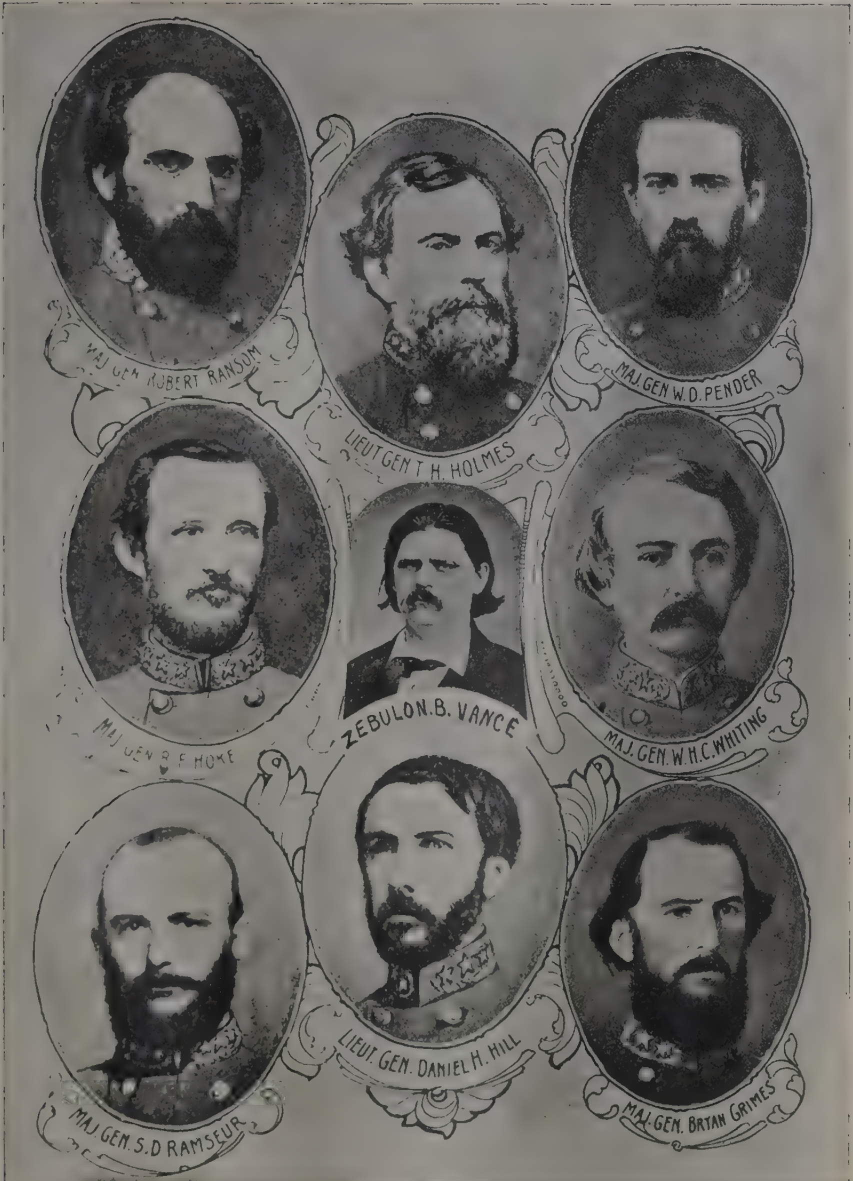
It was in consequence of these operations that North Carolina troops were better armed, clothed, fed and equipped than those from any other state in the Confederacy. In all, the state war supplies amounted to more than $26,000,000. Had not the transportation broken down almost completely, the entire Confederate army might have been adequately fed and clothed.

The troops for whom this tremendous task was undertaken well repaid the state for its care. Nearly every battle was witness to their prowess and on the field of every battle in which they fought, they left their dead. Everywhere their bravery and obedience won the praise of those who commanded them and of those from other states who fought at their side, and again and again they by name received the unstinted praise of their great commander. At Bethel, where they opened the war, at Manassas, Williamsburg, Hanover Court House, Seven Pines, the Seven Days, Cedar Mountain, the Second Manassas, Harper's Ferry, South Mountain, Fredericksburg, Murfreesboro, Chancellorsville, Gettysburg, Charleston, Chickamauga, Lookout Mountain, Missionary Ridge, the Wilderness, Drewry's Bluff, Spottsylvania, Cold Harbor, Petersburg and the Crater, Altanta, Nashville, Cedar Creek, Ream's Station, Five Forks, and to the end at Appomattox where Cox's Brigade fired the last volley of the Army of Northern Virginia they proved their valor and devotion and gave to their state a priceless heritage.

To the cause North Carolina contributed two lieutenant-generals, seven major-generals, and twenty-six brigadier-generals. Of these nine were killed in battle or mortally wounded. She lost in battle thirty-six colonels, twenty-five lieutenant colonels, and twenty-seven majors. The total losses were killed, 14,452; died of wounds, 5,151; died of disease, 20,602; a total of 40,305. One-fifth of those killed and one-fourth of those wounded in the Seven Days, almost one-third of each at Fredericksburg, one-third of the killed and one-fourth of the wounded at Chancellorsville, and one-fourth of the killed at Gettysburg were North Carolinians. At Gettysburg the Twenty-Sixth North Carolina sustained a heavier loss than any regiment on either side in the entire war.

It was not alone in the furnishing of men and supplies, however, that the state felt the war. While she was in no sense a battle ground as was Virginia, nevertheless, during a large part of the war Federal troops occupied a part of her soil and jurisdiction and frequent engagements took place, though few were of any vital importance. The state, too, was an important centre in blockade running, the Cape Fear operations being equalled by those of Charleston alone and continuing after Charleston was successfully bottled up.

On April 19, 1861, President Lincoln issued a proclamation declaring the blockade of the South from South Carolina to Texas. On April 27th, Virginia and North Carolina were included. While the United States was not a party to the Dec-


MAJ. GEN. ROBERT RANSOM
LIEUT. GEN. T. H. HOLMES
MAJ. GEN. W. D. PENDER
MAJ. GEN. R. F. HOKE
ZEBULON. B. VANCE
MAJ. GEN. W. H. C. WHITING
MAJ. GEN. S. D RAMSEUR
LIEUT. GEN. DANIEL H. HILL
MAJ. GEN. BRYAN GRIMES

GOVERNOR Z. B. VANCE AND NORTH CAROLINA LIEUTENANT-GENERALS AND MAJOR-GENERALS, C. S. A.

From war-time photographs

laration of Paris, the day of the paper blockade was over and it was generally recognized that to be binding a blockade must be actual and effective. The United States navy was in no sense prepared to make the blockade thus proclaimed immediately effective, and it was not until July that there was even a pretense of actual blockade. In that month the steamer, "Daylight" arrived off the mouth of the Cape Fear. Prior to this an English vessel out of Beaufort had been captured by vessels cruising off the coast two hundred miles from land and held as a prize. Even after the arrival of the "Daylight," the flow of commerce was little interrupted. During June, July, and August, forty-two vessels entered and cleared at Wilmington, most of them coasters which up to this time composed the bulk of the vessels entering the port. Beginning now, blockade running on a large scale started and it became one of the most prominent and important ports in the world.

The coast of North Carolina is well adapted for operations of the sort. A double coast extends the whole distance, the outer being a long, narrow belt of sand jutting out at Cape Hatteras, Cape Lookout, and Cape Fear. This is broken at intervals by shallow inlets. Within lie the great line of sounds, the three most important, Pamlico, Albemarle, and Currituck, being very extensive. Upon their tributary rivers were situated a group of towns of considerable importance. The most important in every way was Wilmington. In situation this was particularly true. Lying about twenty-eight miles from the mouth of the Cape Fear River, it was out of danger of direct attack so long as the mouth of the river was in Confederate hands. There were two entrances to the river, one from the east, called New Inlet; the other, the mouth of the river, from the south. These were about six miles apart on an interior line but between them lay Smith's Island with Cape Fear running out at the southern end and, extending seaward in the same line, the Frying Pan Shoals, which made the distance for vessels outside about forty miles. This made necessary two blockading squadrons for the river.

Each channel was guarded by strong works, the mouth by Fort Caswell and Fort Campbell, and New Inlet by Fort Fisher. Smithville, now Southport, a little village on the river furnished an anchorage where blockade runners after loading at Wilmington could wait for a good opportunity to go out. Equally distant from both channels, the favorable chances of each could be considered and taken advantage of. Outside each channel the blockading fleet lay in a semi-circle with the extremities as close in as they dared to come. The blockade runners coming in sight of land about evening would wait for darkness and then run in at full speed through the fleet and take refuge under the guns of the forts. It was utterly impossible to close such a port and blockade running continued until Fort Fisher and Wilmington fell. Beginning in 1861, business reached its height in 1863 and 1864, declining towards the end of the latter year because of the increased efficiency of the blockading fleet, due in part to experience, but more to the increase in the number of ships. By 1864 not less than fifty steamers were stationed at each entrance, some of them the best in the Federal service. During the war the blockaders captured or destroyed sixty-five steam vessels, but many of them had been running successfully for a long time before they were stopped. Between November, 1861, and March, 1864, eighty-four were engaged in the trade, thirty-seven were captured, twelve were totally lost, eleven were lost and their cargoes saved in whole or in part, and one foundered at sea. They made 363 successful trips to Nassau and sixty-five to other ports. The "Siren," the most successful, made sixty-four runs through the blockade. The "R. E. Lee" ran twenty-one times, the "Fannie" and the "Margaret and Jessie" eighteen each. Of 425 runs from Nassau including schooners, only sixty-two were unsuccessful. From January to October, 1863, ninety vessels came in.

Mr. James Sprunt in his Chronicles of the Cape Fear River records the names of the more notable of the vessels. They were the "Lady Davis," "R. E. Lee," "Siren," "Fanny," "Hansa," "Fox," "Pet," "Grayhound," "Virginia," "Stag," "Chameleon," "City of Petersburg," "Old Dominion," "Alice," "Margaret and Jessie," "Hebe," "Ad-Vance," "Atlanta," "Eugenia," "Ella and Annie," "Banshee," "Venus," "Don," "Lynx," "Let Her Be," "Let Her Rip,' "Lillian," "North Heath," "Little Hattie," "Beauregard,'' ''Owl,'' ''Agnes Fry,'' ''Kate,'' ''Calypso,'' ''Ella,'' ''Condor,'' ''Mary Celeste,'' ''Susan Bièrne,'' ''Coquette,'' ''Britannic,'' ''Emma,'' ''Dee,'' ''Antonica,'' ''Victory,'' 'Granite City,'' ''Stonewall Jackson,'' ''Flora,'' ''Havelock,'' ''Hero,'' ''Eagle,'' ''Duoro,'' ''Thistle,'' ''Scotia,'' ''Gertrude,'' ''Charleston,'' ''Colonel Lamb,'' ''Dolphin,'' ''Dream,'' ''Spunkey,'' ''Bat,'' ''Orion,'' ''Hope,'' ''Sumter,'' ''Phantom,'' ''Will o' the Wisp,'' ''Whisper,'' ''Rattlesnake,'' ''Armstrong,'' ''Wild Dayrell,'' ''Stormy Petrel,'' ''Wild Rover,'' ''Night Hawk,'' ''Florie,'' ''Chicora,'' ''Falcon,'' ''Flamingo,'' ''Vulture,'' ''Ptarmigan,'' ''Charlotte,'' ''Blenheim,'' ''Deer,'' ''Maud Campbell,'' ''Florence,'' ''Modern Greece,'' and ''Georgiana McCall.''

A number of the captured blockade-runners were put into the service of the United States. The ''Ad-Vance'' became the ''Frolic'' and the ''Ella and Annie'' served under the name ''Malvern'' as Admiral Porter's flagship. Of those destroyed, the ''Beauregard'' and ''Venus'' lie at Carolina Beach, the ''Modern Greece'' at New Inlet, the ''Antonica'' on Frying Pan Shoals, the ''Spunkey'' and the ''Georgiana McCall'' on Caswell Beach, and the ''Hebe'' and the ''Dee' between Masonboro and Wrightsville.

Nassau, situated only 570 miles from Wilmington, 515 miles from Charleston, and 500 miles from Savannah, became the most important intermediary port in the trade through the blockade, though Bermuda, 674 miles from Wilmington, was also used. Prior to the war, Nassau was chiefly a fishing and wrecking village. It now became a shipping depot of vast importance to the Confederacy and to the outside world. Cargoes were sent there from Europe, transhipped to the blockade-runners, and exchanged for cotton and naval stores which brought immense prices in Europe. The blockade-runners, which were chiefly a new type of vessel, designed for the purpose, were light, long, side-wheeled steam vessels, lying very low in the water. They averaged from four hundred to six hundred tons burden, and were of slight frame and narrow beam, with engines designed to develop great speed. They carried from six hundred to one thousand two hundred bales of cotton; a compress at Wilmington assisting greatly in increasing the number. With cotton selling at from four to eight cents at Wilmington and from fifty to seventy in Liverpool, the inducements were great. In the South, too, was an equal or even greater anxiety to secure manufactured goods of all sorts and this meant double profits. Freights rose until they ranged from $300 to $1,000 per ton. The captains often received $5,000 for a return trip, the pilot $750, a deck hand, $50. The profits on a single return voyage often reached $150,000.

To North Carolina and the Confederacy the blockade-runners were of inestimable service. But for them the Confederacy would have been strangled long before it was. During the latter years of the war the Cape Fear was the most important centre in the Confederacy of this important trade. No record was ever made of what was brought in but according to Confederate reports between October 26, and December 6, 1864, there were brought into Charleston and Wilmington together 8,632,000 pounds of meat, 1,507,000 pounds of lead, 1,933,000 pounds of saltpetre, 546,000 pairs of shoes, 316,000 pairs of blankets, 520,000 pounds of coffee, 69,000 rifles, 97 packages of revolvers, 2,639 packages of medicines, 43 cannon, and a very large quantity of other articles. As Charleston was by this time almost closed, the bulk of these came to Wilmington. These with the report on the "Ad-Vance," already mentioned, give a fair idea of the immensity and importance of the business. Blockade-running lasted till the fall of Fort Fisher and three vessels came in after its fall only to be captured by the Federal forces. One came in that succeeded in escaping.

The first armed conflicts within North Carolina were on the coast. The command of the sounds and their tributary rivers, controlling as it did more than a third of the state, was of vital importance. An enemy in control would threaten the chief railroad communication between Richmond and the southern coast, cut off a vast trade, and cramp the whole state. The necessities of the case were at once seen and after the seizure of Forts Caswell, Johnston, and Macon, defences were begun at Ocracoke Inlet, at Hatteras Inlet and on Roanoke Island. On Beacon Island at Ocracoke, Fort Morgan was erected and at Hatteras Forts Ellis and Clark. On Roanoke Island were Forts Huger, Blanchard, and Bartow, all on the western side of the island on Croatan Sound, and a battery at Ballast Point on the eastern side commanding the entrance to Manteo or Shallow Bay. Across Croatan Sound, on the mainland was Fort Forrest. At Cobb's Point on the Pasquotank River was another battery. None of these were real forts, the strongest, Fort Ellis, having only twelve smooth-bore 32-pounders. The total number on Roanoke Island was thirty 32-pounders, most of them smooth-bore. The supply of ammunition was very small.

Operating in the sounds were four small steamers, the "Winslow," the "Beaufort," the "Ellis," and the "Raleigh," purchased in Norfolk by the state and converted into gunboats, each mounting one gun. The "Winslow" was in commission as early as June, 1861, and at once began to prey upon United States commerce, capturing in a short time eight vessels which were then sent to New Bern and condemned as prizes. The total captures by the little fleet were eight schooners, seven barks and a brig.

Public demands in the North and the evident value to the Union cause of establishing Federal control in this region led the Navy Department to order an expedition to go out from Norfolk against Hatteras. In August, 1861, six war vessels, two transports, and two schooners carrying a force of more than nine hundred men, under the command of Commodore Stringham and General B. F. Butler proceeded to Hatteras. After a short bombardment, the troops having in the meantime landed, Fort Clark was abandoned and Fort Ellis surrendered with six hundred and fifteen prisoners. Beacon Island was at once abandoned and the Federal forces destroyed Fort Morgan a few days later. In results the defeat was disastrous. Hatteras became an important supply point for the Federal vessels and forces, and it is was the key to the Albemarle and Pamlico sections. The loss of Roanoke Island and New Bern followed naturally.

Active attention was at once given to strengthening Roanoke Island and the other strategic points. General Henry A. Wise was assigned to command at Roanoke and General L.

O'B. Branch at New Bern. The defences, however, were in the main, absurd. Old smooth-bore cannon, mounted on cart wheels and drawn by mules masqueraded as field pieces. One of the regiments on Roanoke was armed with squirrel rifles and shot guns with carving knives for bayonets. Delay, also was characteristic of the preparations. The Confederate authorities felt unable to furnish troops and all of the state's trained men were in Virginia. Branch at New Bern had but seven regiments; Shaw, who commanded at Roanoke, in the absence of Wise, but two. The latter had several times reported his inability to hold his position for even a day.

Flag-Officer William F. Lynch was placed in command of the naval defences. The fleet under his command was now increased by the addition of the "Seabird," the "Curlew," the "Appomattox," the "Black Warrior," the "Junaluski," the "Forrest," and the "Fanny," the last having been captured in October by the "Raleigh" and the "Junaluski," after an engagement of fifty-five minutes. In November the "Winslow" was wrecked and lost.

In the late autumn an expedition against Roanoke was planned and finally reached Hatteras in January, 1862. It consisted of twenty war vessels and forty-six armed army transports, almost all suited for the shallow waters of the sounds, under the command of Rear-Admiral L. M. Goldsborough and Commodore Rowan. The military force under General A. E. Burnside assisted by Generals Foster, Reno, and Parke, consisted of about fifteen thousand men. The attack began on February 7th, and lasted all day. The Confederate vessels having used all their ammunition, were forced to retire with the loss of the "Curlew." Federal troops were landed during the day and the next morning renewed the attack. The Confederate forces, driven to the north end of the island were forced to surrender.

The next day the retreating vessels were followed by Rowan with fourteen vessels. On February 10th, at Cobb's Point, the two squadrons met. The shore battery was abandoned and later destroyed, the "Seabird" was sunk, and the "Ellis" and the "Fanny" captured, the latter on fire and aground. The Federal squadron followed to Elizabeth City where the "Forrest" was found on fire with some other vessels still on the ways. The "Raleigh," "Beaufort," and "Appomattox," escaped up the Pasquotank River and through the Chesapeake and Albemarle Canal to Norfolk. Edenton was then visited, the militia there retreating, and a vessel there and some cannon were destroyed. The retreating Confederates from Elizabeth City had partially blocked the entrance to the canal and this was made complete by the Federal fleet. Winton was next visited and the raw militia placed there for defence fled after firing upon the fleet. Federal troops under Colonel Rush C. Hawkins at once landed and burned part of the town.

The way now lay open for the attack on New Bern. On March 12th, Rowan with thirteen vessels and twelve thousand men sailed from Hatteras and at sunset they were in sight of New Bern. Elaborate preparations had been made against attacks from the water, including sunken vessels, chevaux de frise and sunken torpedoes, attached to piles. There were also six small forts mounting thirty-two guns. Little attention, however, had been paid to possible land attacks. Under Branch were less than five thousand men.

On the next day the Federal forces were landed and marched towards the Confederate lines without opposition. On the following day the Federal troops attacked, supported by the fleet. A break in the Confederate lines was finally found and penetrated and after some hours of sharp fighting the Confederates were forced to retreat. The fleet had in the meantime reached the town which was occupied.

Following the fall of New Bern, Carolina City, Morehead City, Newport, and Beaufort were occupied. Fort Macon, garrisoned by five companies with more than fifty guns, was besieged and, after being heavily shelled from both land and sea was forced to surrender on April 25th.

Sharp fighting took place in the same month at South Mills. A Federal force of three thousand was sent to destroy the Dismal Swamp Canal and the Chesapeake and Albemarle Canal to prevent the coming of gunboats from Norfolk to the North Carolina sounds. A force of seven hundred and fifty Confederates succeeded in driving the Federals to their boats before they accomplished their purpose. Later in the month the Chesapeake and Albemarle Canal was finally and effectively blocked.

About this time there occurred the first of the exploits which brought fame to Lieutenant Cushing of the United States Navy. In command of the captured "Ellis," he was blockading New River Inlet. In November, 1862, he went up New River to destroy salt works, capture vessels, and visit Jacksonville. Upon his return he was attacked from the shore and shelled. In escaping the "Ellis" went aground and was destroyed to prevent her capture. Cushing was eager to wipe out this reverse and in August of the following year, having seen from a small boat a schooner in New Topsail Inlet, he led in a small force and having destroyed the vessel and the salt works on shore, returned with a number of prisoners. He was the most active and energetic of the Federal naval officers in North Carolina waters and his destruction of the "Albemarle" was only the climax of a number of daring exploits.

In 1864 he was in command of the "Monticello," one of the vessels in the blockading fleet at the Cape Fear. In February, accompanied by several other officers and two boat crews he came in the mouth of the river at night and landed at Smithville, then occupied by a garrison of a thousand Confederate soldiers. Going at once to headquarters in the hope of capturing General Herbert, he found him out but captured a subordinate officer and returning to his boats, passed out safely by Fort Caswell to the fleet. In June of the same year he went with the same officers and fifteen men up the river within seven miles of Wilmington, hoping to destroy the Confederate ram, "Raleigh." Landing, they stayed two days and three nights, cutting telegraph wires and examining fortifications. They captured a number of prisoners including a courier with valuable dispatches. The "Raleigh" they found was already destroyed. On the return trip down the river, they narrowly escaped capture, but finally rejoined the fleet in safety.

After the fall of New Bern, Federal gunboats patrolled the waters of Eastern North Carolina and Edenton, Washington, Williamston, Elizabeth City and Plymouth were occupied by troops. At various points small engagements took place. In September, 1862, a small Confederate force entered Washington and a hot fight occurred before they were forced to retire. Plymouth was retaken in December but was held only a short time. About the middle of the month General J. G. Foster who was in command at New Bern with ten thousand infantry, six hundred and fifty cavalry and forty pieces of artillery left New Bern for the interior. A fleet of small gunboats went up the river at the same time in support. At Southwest Creek he was opposed by one Confederate regiment which was soon forced to retire. About two miles from Kinston on the fourteenth, a Confederate force of about two thousand was driven back after a fight of two hours and Foster pressed on towards Goldsboro. At White Hall, two days later, another skirmish occurred, again resulting in a Confederate retreat. When Foster neared Goldsboro, he sent several regiments to burn the railroad bridge, and a sharply contested battle occurred, in which the Federal forces were checked. Foster then returned to New Bern.

With the opening of 1863 over thirty thousand Confederate soldiers were in the state, the largest number in any one quarter being ten thousand under General Whiting in the defences about Wilmington. Other forces, mainly single regiments or parts of regiments, were at Magnolia, Kinston, Goldsboro, Weldon, and Hamilton. As spring advanced, most of these troops were sent to Virginia. In order to gather supplies inside the Federal lines, attacks upon New Bern and Washington were planned. That upon New Bern occurred early in March, two bodies of troops under General Pettigrew and General Daniel co-operating. After a preliminary success by Daniel the expedition under Pettigrew failed, chiefly because of inferior arms and ammunition, and the plan was abandoned. Skirmishing at various points followed and towards the end of March the attack on Washington was ordered with the hope of surprising the Federal forces. Heavy rains delayed the movement and by the time the expedition reached Washington, the hope of surprise was gone and nothing could be accomplished.

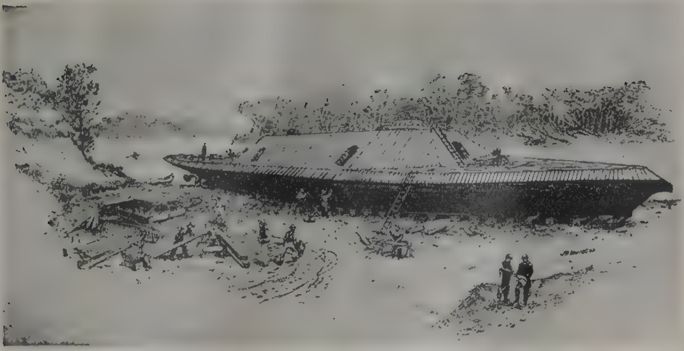
During the rest of the year there were no operations in the state of importance. Most of eastern North Carolina lay open to the Union troops and by degrees they stripped the entire region of everything of value that was movable. Whole shiploads of booty were sent north. Edward Stanly said: "Had the war in North Carolina been conducted by soldiers who were Christians and gentlemen, the state would long ago have rebelled against rebellion. But instead of that, what was done? Thousands and thousands of dollars' worth of property were conveyed North. Libraries, pianos, carpets, mirrors, family portraits, everything in short, that could be removed, was stolen by men abusing flagitious slaveholders and preaching liberty, justice, and civilization. I was informed that one regiment of abolitionists had conveyed North more than $40,000 worth of property. They literally robbed the cradle and the grave. Family burying vaults were broken open for robbery; and in one instance (the fact was published in a Boston paper and admitted to me by an officer of high position in the army), a vault was entered, a metallic coffin removed, and the remains cast out that those of a dead soldier might be put in the place."

The horror of Federal occupation was intensified by the operations of the "Buffaloes," or native Union bushwhackers, who perpetrated every type of violence and crime. The condition of affairs finally became so bad that great feeling was aroused in the state. To counteract this President Davis, late in 1863, ordered General Lee to send a considerable force to the state. Acting upon a plan of General Robert F. Hoke, whom he called into consultation, an attack on New Bern was undertaken. Hoke was only a brigadier and the expedition was too large to be given to one of that rank, so General Lee told Hoke that he was to be the actual leader but that he would have to put in nominal command a major-general. Having chosen General Pickett as the one who could "best be spared from Virginia," the force of over thirteen thousand men was assembled at Kinston from which it moved toward New Bern on January 20, 1864. Pickett disregarded Hoke's plan and upon the latter's remonstrating, ordered compliance with his orders under threat of arrest and court-martial. Hoke was obliged to submit and the expedition was a complete failure. A small naval detachment in boats under Commander John Taylor Wood, after a furious fight boarded and captured the "Underwriter," a converted tugboat and the most powerful of the vessels stationed at New Bern. Unable to take time to get up steam they were compelled to burn her.

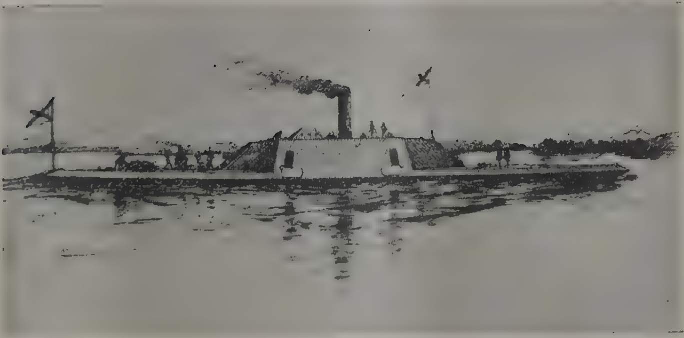
Conditions in the state still demanding Confederate action, General Lee again called General Hoke into conference. Hoke advised an attack upon Plymouth which had been strongly fortified and which was held by General Wessels with about three thousand men. At Edward's Ferry on Roanoke River, Gilbert Elliott of Elizabeth City, a nineteen year old boy, was building for the Confederate navy, after plans prepared by John L. Porter, who had converted the "Merrimac," an ironclad gunboat to operate in the sounds. The boat which had been begun early in 1863 was unfinished, but upon General Hoke's urgent representation of his need of it, the work was speeded up and on April 18, it started down the river under the command of James W. Cooke, formerly an officer of the United States navy, now a Confederate commander, with the construction force still working upon it.

The construction of the "Albemarle" was in itself an achievement. It was built in an open cornfield, above high water, of unseasoned timber, by unskilled workmen. A blacksmith shop furnished the mechanical parts. It was 152 feet long with an extreme beam of 45 feet. It drew about eight feet. It was covered with two courses of iron plates two inches thick. The prow was of heavy oak sheathed with iron and was intended for use as a ram. The armament consisted of two guns. The construction of the vessel had been reported to the United States Navy Department by Lieutenant-Commander Flusser, the naval commander at Plymouth, as early as June, 1863, but the depth of the river would not permit the ascent of his boats and nothing was done.

On April 18th, General Hoke invested the town on the land side and attacked the forts but was repulsed. The ram was expected by both sides and the Federal vessels "Southfield" and "Miami" were chained together for the encounter. As the ram did not appear they separated and assisted in the re-



Construction of the Albemarle



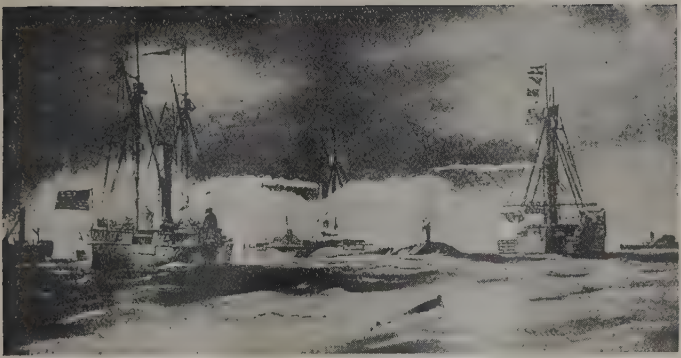
The Albemarle Afloat and Ready for Action pulse of the Confederate forces. When finally the ''Albemarle'' came, early the next morning, they were again chained together and went to meet the ram. At once the ''Albemarle'' struck the ''Southfield'' and sank her, the beak going so deep as to threaten the safety of the attacking vessel. As the ''Southfield'' went down, Flusser on the ''Miami'' then personally fired the first shot at the ''Albemarle'' and was killed by fragments of shell rebounding from her armored sides. The ''Miami'' then retreated under fire after which the ''Albemarle'' turned its guns on the town and the land forces storming the forts compelled the surrender of the place. General Hoke was on the field promoted to major-general.

The fall of Plymouth forced the Federal forces to evacuate Washington. Before the troops left they sacked and burned the town. So flagrant was the outrage that General Palmer in a general order made the following statement: ''It is well-known that the army vandals did not even respect the charitable institutions but burst open the doors of the Masonic and Odd Fellows Lodge, pillaging them both and hawked about the streets the regalia and jewels and this, too, by United States troops! It is well-known that both public and private stores were entered and plundered and that devastation and destruction ruled the hour.''

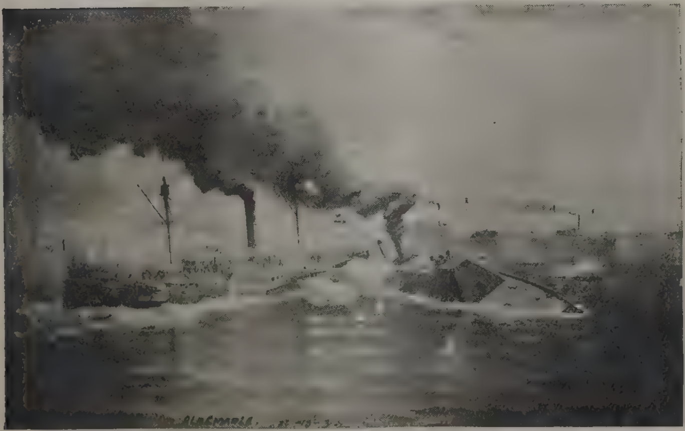
General Hoke next attacked New Bern and having taken the outworks had demanded the surrender of the town when he was ordered to bring his forces with all speed to Petersburg.

In the meantime the ''Albemarle'' threatened the Federal control of the sounds and even menaced the blockade. Captain Melancthon Smith was hurriedly sent South to hold the mouth of the Roanoke. With him were sent four large double enders, the ''Sassacus,'' the ''Mattabesett,'' the ''Whitehead,'' and the ''Wyalusing,'' which with the ''Commodore Hull'' and the ''Ceres'' already there, made a formidable squadron.

On May 5th, the ''Albemarle'' came out with a troop ship and a captured vessel loaded with coal and provisions. About ten miles from the mouth of the river, she met the Federal squadron and although rammed and exposed to a heavy bombardment was not destroyed, although considerably injured. Two of the Federal vessels were put out of the fight and

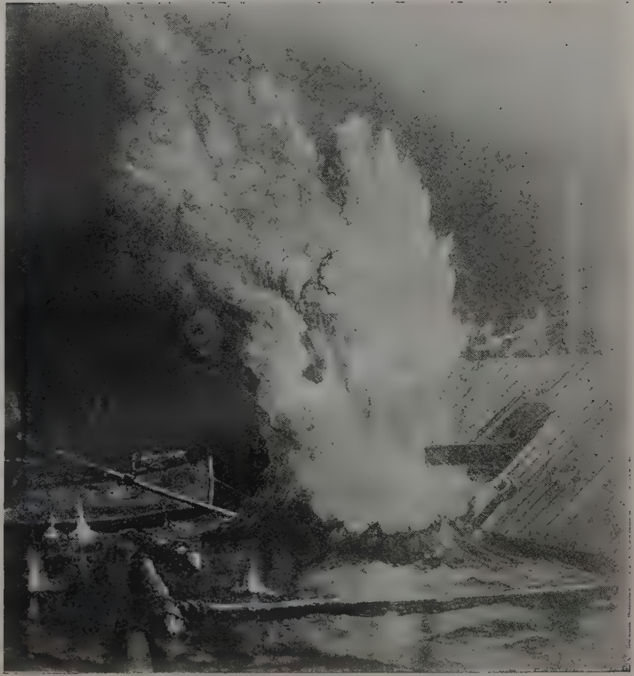


Naval Engagement between Confederate Ram Albemarle and Union Vessel Wyalusing



Sassacus and Albemarle

Lieut. William Barker Cushing



Torpedoing of the Albemarle

finally the squadron retired. The "Albemarle," unable to get up steam on account of her smoke stack's having been riddled with shot, with great difficulty returned to Plymouth.

Several attempts were made to destroy her by means of torpedoes but all failed. So great a menace was she, however, to the Union cause in the state, that the Navy Department selected Cushing to undertake the task of destruction at almost any cost. On the night of October 27th, he came up the river with a considerable party in two comparatively noiseless steam launches, passed the numerous Confederate pickets on land and water, and reached Plymouth. The "Albemarle" was surrounded by a boom of logs about thirty feet away from her sides. A fire on the shore illumined the river and Cushing's boat was seen by those on shore who gave the alarm. Under a hot fire which was returned with the howitzer on the launch, Cushing ran his boat at full speed against the boom. The launch slid over the slippery logs and Cushing with his own hands pushed a spar with a torpedo attached under the vessel and exploded it. The ram sank and the launch, entangled with the boom by the explosion, was captured with its crew. Cushing, however, refusing to surrender, dived and swam under water out into the river. Finally, almost exhausted, he reached land across the river and, after wading miles through the swamp, captured a skiff in which he succeeded in rejoining the Federal fleet.

As a result of the destruction of the "Albemarle," Plymouth was recaptured by Federal forces on October 31st. The vessel was raised and towed to Norfolk, but was never again employed in warfare.

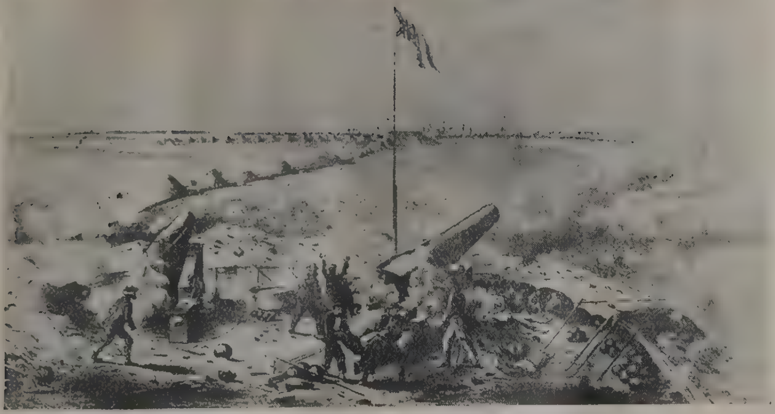
Another Confederate ram, the "North Carolina," a twin of the "Raleigh" and built on the Cape Fear, came out of New Inlet in May, 1864, and exchanged a few shots with the Federal blockading fleet, but retiring, was never again used.

In December, 1864, several vessels left Plymouth to cooperate with the Federal army in reducing Confederate batteries at Rainbow Bluffs, about sixty miles up the river. Two were sunk by torpedoes and, the military force never appearing, the rest, after dragging the river for torpedoes, returned.

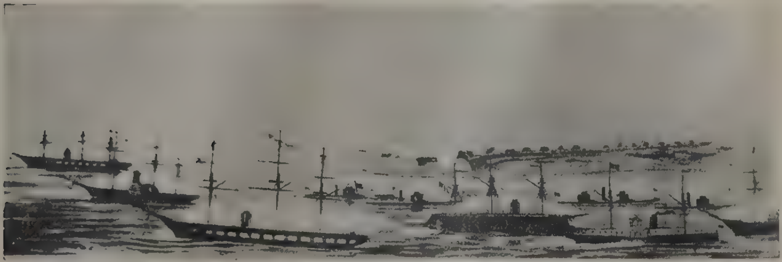
Fort Fisher had proved from the beginning of the war such a tremendous asset to the Confederacy that as early as 1862 the Navy Department of the United States had sought to interest the War Department in a joint attack upon it and the other defenses of the Cape Fear. It was then decided that no troops could be spared for the purpose, but in the fall of 1864 Grant approved the plan and Farragut was appointed to the command of the naval force. On account of his health he was compelled to decline and D. D. Porter was placed in command. As first planned, the attack was to be made on October 1st. It was then postponed until the middle of the month, although 150 vessels were ready for the expedition.

Finally, in December, the details of a plan were announced. The attack was to open with the explosion of a vessel under the walls of the fort in the hope of blowing up the magazine in the fort. The "Louisiana," an old vessel, was disguised as a blockade-runner and loaded at Beaufort with two hundred and fifty tons of powder. After the explosion a naval force of seventy vessels and a land force of sixty-five hundred men were to co-operate in the reduction of the fort. This wild plan originated in the fertile brain of General B. F. Butler who accompanied the expedition and, although General Weitzel had been assigned to command, insisted as senior officer present, upon his right to control the operations of the military forces.

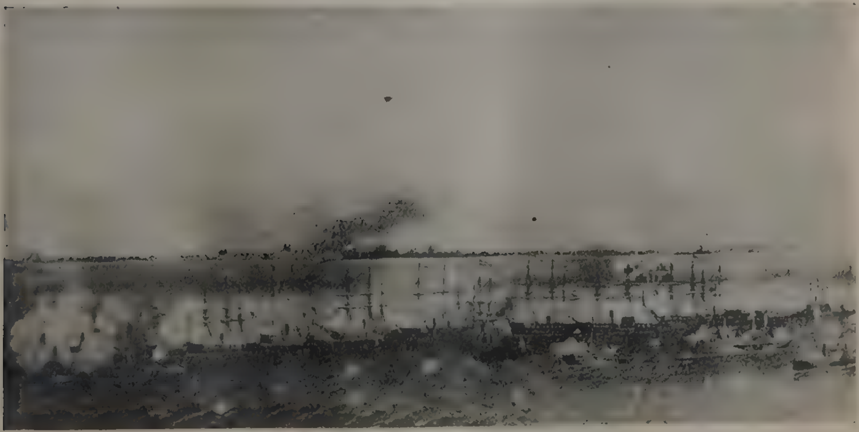
Fort Fisher, when Colonel William Lamb took command in 1862, was composed of several detached earth works and one casemated battery. It could have been reduced by one war vessel within a few hours. But work was begun at once with five hundred negroes and within the following year it was transformed into the largest earthwork in the Confederacy, built of heavy timbers covered with sand about twenty-five feet deep and sodded with turf. It extended across the peninsula between the river and the ocean for six hundred and eighty-two yards as a continuous work with twenty heavy guns, two mortars, and four light guns. The sea face was eighteen hundred and ninety-eight yards long, formed of batteries connected by a heavy curtain, ending in a mound battery sixty feet high. On this face were twenty-four heavy guns. At the end of the peninsula was Battery Buchanan,



Fort Fisher, the Gibraltar of the United States



Fort Fisher, December 25, 1864



Fort Fisher, January 13, 1865

Scenes from the Bombardment of Fort Fisher with four heavy guns. While almost impregnable from the sea, it was weak on the land side, reliance being placed on the troops around Wilmington. The garrison at the time of the first attack was composed of 1,431 men, 450 of whom were junior reserves. Throughout its entire history, the fort was manned almost exclusively by North Carolinians.

The powder ship was headed for the fort and exploded on the night of December 23d. It excited curiosity in the garrison at first and then amusement mingled with envy at the possession of such a store of ammunition as this sheer waste indicated, the supply in the fort being very small. On the following day the bombardment by the fleet began, fifty vessels mounting over six hundred guns participating. It lasted five hours in which time a storm of round shot and shells was poured upon the fort, some ten thousand in all being fired. The fort, short of powder, only fired six hundred and seventy-two shots in reply and the attacking force thought that most of the guns had been silenced. On the following day another terrific attack on the land face began, two shots per second being fired during a large part of the seven hours it lasted, the fort replying with only six hundred shots. The fleet again fired more than ten thousand. In the two days it discharged projectiles weighing nearly two million pounds. In the meantime three thousand troops under Generals Butler and Weitzel were landed with the intention of storming the fort. However, upon investigation of its condition, they decided not to attack and returned to the fleet which sailed back to Beaufort.

General Bragg was in command of the troops around Wilmington and at once withdrew all the forces supporting the fort to the north of the town, and, although it was soon well-known that the fort was again to be attacked, did not send them back. When the attack was finally made, he, deliberately and shamefully, withheld the aid that would in all probability have saved the fort, and with a determination that contained not a vestige of courage prepared to retreat hastily from Wilmington.

By this time Charleston was closed to the outside world and the reduction of Fisher was deemed a military necessity. Another expedition, more powerful than the former one was prepared. Fifty-three heavily armed vessels on January 13th began a bombardment which lasted two days and nights. Over twenty thousand projectiles were again poured upon the fort, the guns of which replied at long intervals because of the continued shortage of ammunition. Most of them were put out of commission by the fire of the fleet and a large number of the troops were killed or wounded. The total number of men in the fort was considerably less than two thousand. General Whiting who had planned the defenses of Wilmington, in fine contrast to Bragg, came down to share the fate of the fort but left Colonel Lamb in command. He was mortally wounded and died in prison.

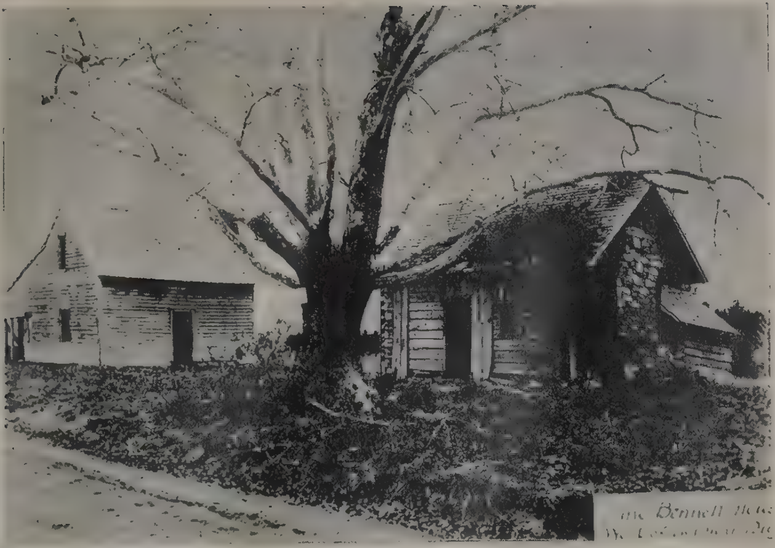
In the meantime eighty-five hundred Federal troops under General Terry had been landed and were advancing upon the fort. Both the garrison and the attacking forces fought magnificently, but the odds, thanks to Bragg's timidity, were too heavy and the fort surrendered.

The day after the fall of the fort, the Cape Fear was entered and Forts Caswell and Campbell on Oak Island were taken. These with the barracks and storehouses on Smith's Island were burned by the Confederates before evacuation. Smithville was also occupied. The gunboats then started up the river, making very slow progress on account of torpedoes, of which the river was full. Land forces also moved up both sides of the river only to be checked for several weeks by the Confederate troops under General Hoke's command at Fort Anderson at Old Brunswick and at Sugar Loaf across the river. General Schofield was now sent to take command of the Federal forces and left Smithville on February 17th. Marching upon Wilmington and co-operating with the fleet, he forced the evacuation of Fort Anderson, which had been bombarded for two days, and on February 22d, occupied Wilmington which had been evacuated by the Confederates.

Sherman's army was then advancing towards North Carolina and all the troops around Wilmington were ordered to join Johnston's army to oppose the progress of the invaders. Generals Hoke and Hill had successfully fought out the preliminaries of a battle with Cox's Corps near Kinston when the order reached them to make the junction and they were forced to retire. Sherman's army entered the state in March and occupied Fayetteville a few days later. After the town had been completely plundered and the adjoining country ravaged, they moved on to join Schofield at Goldsboro. At Averysboro General Hardee on March 15th confronted Sherman to give them time to reach the main army. This accomplished, the Confederate force was concentrated at Bentonville to strike Sherman before the arrival of Schofield from Wilmington. On March 19th, Johnston struck heavily at Sherman's advancing forces and drove them back in confusion. Sherman waited for reinforcements and effected a junction with Schofield. Johnston resumed his slow and masterly retreat finally surrendering near Durham's Station on April 26th, when Lee's surrender had made the Confederate cause clearly hopeless.

As Sherman approached Raleigh it was of course clearly evident that the end of the war was at hand and pressure was exerted upon Governor Vance to induce him to make terms with Sherman. William A. Graham and David L. Swain worked out a complete plan of action and advised the governor to summon the legislature which should pass resolutions expressing a desire for peace and inviting the other Southern States to join the movement. The legislature should further elect commissioners to treat with the United States and report to a convention of the people which should be called at once. In the meantime a commission should be sent to treat with Sherman for a suspension of hostilities. The governor refused at first to consider the plan, but when the capture of Raleigh was imminent and General Johnston had informed him of his intention to withdraw his forces, he yielded and sent Graham and Swain as a commission to meet Sherman and arrange an interview with him.

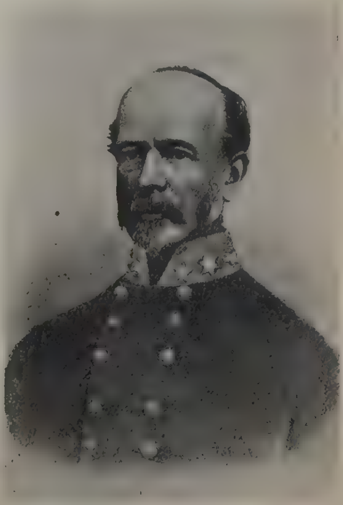
After a series of mishaps and delays they reached General Sherman who treated them with great courtesy and sent them back with a message to Governor Vance, declining to give the desired interview, but expressing a wish, based upon President Lincoln's instructions, that all state officers should continue to perform their duties. Upon their return, however, they found that Vance had left Raleigh. He had determined



THE BENNETT HOUSE

Here occurred the surrender of the Confederate forces under Gen. Joseph E. Johnston to Gen. William T. Sherman

GEN. W. T. SHERMAN

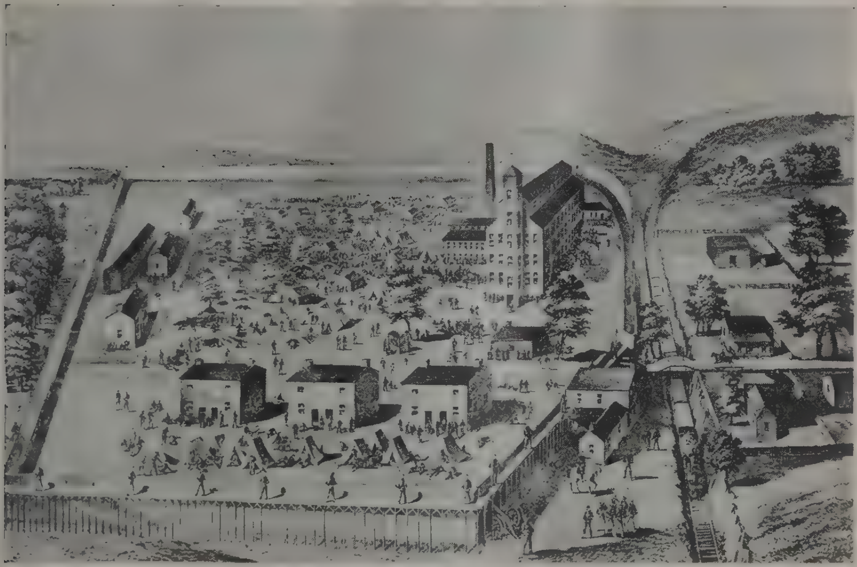


GEN. JOSEPH E. JOHNSTON

to remain and surrender the capitol in person, but was, against his will, forced by General Hoke to leave the city with him when the town was evacuated. And so when on April 13th, the Union forces entered Raleigh, Swain, and not Vance, surrendered the keys of the capitol to the officer appointed to receive them.

Vance went to Charlotte and had an interview with President Davis. He then sought permission from Sherman to return to Raleigh and call the legislature into session. Sherman had left Raleigh and Schofield, who was in command, declined to permit the return, and a little later advised his going to his home. Vance did so and remained there until May 14th, when he was arrested by General Kilpatrick and carried to Old Capitol Prison in Washington where he stayed for several months.

In December, 1864, General Stoneman was ordered on a raid into Southwest Virginia to destroy the railway connections between Virginia and Tennessee, and thus cut off supplies from Lee and also make this way of retreat for the Confederates impossible. In the last days of March, 1865, with a force of seven thousand men he came from Tennessee into Watauga County. In Watauga the force divided, Stoneman going to Wilkesboro and General Gillam crossing the Blue Ridge and going through Happy Valley, burning and plundering as he went, finally rejoining Stoneman at Wilkesboro. They left there on March 31st, and crossing Surry County entered Virginia. Destroying the railroad above Wytheville, they turned back into North Carolina and marching rapidly through Stokes and Forsyth, reached Salem April 10th. Detachments were from there sent out to cut the North Carolina and the Greensboro and Danville railroads. Some of the track of each was torn up and several depots with a vast amount of cotton and great quantities of supplies were burned. At Salem no looting was permitted. On April 12th Salisbury was occupied after a skirmish which continued in the streets of the town. Here private property was respected by the officers though there was some minor pillaging. But here was situated one of the most hated of the Confederate prisons and a vast amount of government supplies of all kinds brought from Columbia, Charlotte, Richmond, Danville and Raleigh, as well as an arsenal, a foundry, and a considerable store of ordnance. These with the public buildings and the railroad depots were burned. The totals of destruction for the expedition are impressive: Four cotton factories, 7,000 bales of cotton, 10,000 stands of arms and accoutrements, 1,000,000 rounds of small arms ammunition, 1,000 rounds artillery ammunition, 7,000 pounds of powder, 35,000 bushels of corn, 50,000 bushels of wheat, 160,000 pounds of bacon, 100,000 suits of clothes, 250,000 blankets, 20,000 pounds of leather, 10,000 pounds of saltpetre, large quantities of sugar, salt and rice, $100,000 worth of drugs and the machine shops at Salisbury. The total value of the property thus destroyed ran up into the millions.



THE CONFEDERATE PRISON AT SALISBURY

On April 13th, Stoneman moved towards Statesville and, after destroying the government and railroad property there, moved on, one detachment going to Taylorsville and Lenoir and thence to Tennessee and the other to Lincolnton. Evidently inclined personally to mitigate the harshness of war, to non-combatants at least, his army was full of marauders who looted and burned private property, and shot and maltreated unoffending old men and young boys. Women were treated with harshness and brutal rudeness, but the Federal army's course through North Carolina, stained as it was, was not marked by outraged virtue. Both Generals Stoneman and Palmer were mercifully inclined. General Gillam, who was sent to Morganton and Asheville, collected about nine hundred prisoners, mostly old men and boys, who were treated with disgusting brutality. Riot, murder, and pillage marked his track through Lenoir, Morganton, and Asheville. The last was practically turned over to the troops and was thoroughly looted. In every way and very successfully the Federal troops sought to emulate the more widely known exploits of Sherman's army in Georgia and the Carolinas.

On the heels of Stoneman came George W. Kirk, a Tennessee desperado, at the head of two regiments, chiefly composed of bushwhackers who found their occupation largely gone.

In May at Waynesville was fired the last shot of the war in the state. Between the battle of Hatteras on August 28, 1861, and this time there had been fought in the state eleven engagements worthy of the name of a battle and seventy-three skirmishes, most of these taking place in the eastern part of the state. Now at last warfare was ended.

CHAPTER III

POLITICAL SENTIMENT IN WAR

Governor Ellis died in July, 1861, and was succeeded by Henry T. Clark, speaker of the Senate. According to regular precedent, his right to the seat would expire with the election in August, 1862, but his successor could not under the law be installed until January, 1863. The convention therefore provided that the new governor should be installed in September and continued Governor Clark in office until that time. The campaign began at once. Most prominent among the leaders of the conservative party was W. W. Holden who was generally thought to desire the office himself. He was out of the question, however, and the conservatives sought without success to induce William A. Graham to be a candidate. The press, with the exception of the *Standard,* favored a general nominating convention and no contest, but Holden was opposed, desiring a campaign, and carried his party with him. When a contest was clearly inevitable, the secessionist element nominated William Johnston of Mecklenburg through the press. The conservatives were still casting about and finally the name of Zebulon B. Vance was suggested by the *Fayetteville Observer,* after some agreement of the leaders and the party accepted him. He was at the time colonel of the Twenty-Sixth Regiment.

In the press the campaign was one of extreme bitterness. Apart from Vance's speeches in the army the candidates took little part in it. There was no real issue. It was really a campaign fought on the personality of the leaders. This was frankly the case so far as the conservatives were concerned. But the original secessionists or "confederate" party, saw, or appeared to see, in the success of the conservatives, a complete surrender to the North. They adopted as a platform the resolutions of confidence passed by the convention, and placed a summary of them upon their ticket which was as follows:

> An unremitting prosecution of the war; the war to the last extremity; complete independence; eternal separation from the North; no abridgement of Southern territory; no alteration of Southern boundaries; no compromise with enemies, traitors, or tories.
>
> Jeff. Davis, Our Army, And The South.

Even out of the Confederacy the campaign attracted interest and in the North it was declared that the election of Vance would be a Union victory. But the people could not be convinced that Vance was untrue and gave him a majority of thirty-three thousand, something hitherto unheard of in the state. In his inaugural, Vance outlined his policy and pledged himself to a vigorous and unrelenting prosecution of the war. He won at once the confidence of his late opponents and thereafter there was little doubt of his position.

The campaign had focussed attention on the question of loyalty and there was much fear of widespread disloyalty, but it is not likely that many people at this time desired a return to the Union. That a small number actively desired such an eventuality and steadily plotted to secure it is undoubted. Nor is there room to doubt that dissatisfaction with conditions and with the Confederate Government was widespread and growing. Failure to protect the coast, the establishment of the military prison at Salisbury with its numerous political prisoners, the general feeling that North Carolina and North Carolinians were discriminated against, the impressment of arms, the rigorous collection of the tithe, and an even more rigid enforcement of the conscription laws,—all these combined to make the Confederate Government increasingly and, in time, bitterly unpopular. Economic conditions also grew worse rapidly, and disloyal act and utterance became less rare. A large number of deserters were present in the state by 1862 and the number steadily increased as time passed. They were most numerous in Randolph, Chatham, Catawba, Yadkin, Iredell, Forsyth, Guilford, and Wilkes. In the last there was in 1863 a regiment organized and under arms. Attempts to arrest deserters in most cases failed and they were a menace to unity for the rest of the war.

Disloyalty in the East was largely confined to the coast region which was left almost entirely unprotected. When Federal occupation came every inducement was offered to those who remained at home to cast their lot with the Union. There was in the North a strong conviction that the people of North Carolina were still at heart loyal to the United States and that if the opportunity were offered they would return to their allegiance. Two attempts were made during the course of the war to secure restoration. Both were in reality foreign to the people, but one was professed to be entirely local in its origins. The other was avowedly a military movement by the President of the United States.

Governor John Willis Ellis

The first attempt was made by a small group of men, few if any, natives of the state. A so-called constitutional convention was held at Hatteras in November, 1861, which declared the ordinance of secession null and void, elected one Marble Nash Taylor governor, and ordered a congressional election. When this was held, one Charles H. Foster was chosen. Both the convention and election were absurd frauds and all efforts to secure any recognition by Congress of this so-called Hatteras Government failed.

In May, 1862, President Lincoln appointed as military governor of North Carolina with the rank of brigadier-general, Edward Stanly, of California, a native of North Carolina, who had been formerly one of the most prominent whig leaders in the state, noted for a strong hatred of secession and an equally strong devotion to the Union. He had been speaker of the House of Commons, attorney-general, and for several terms a member of Congress. Stanly had left the state when opposition to secession was strong throughout it and he could not believe that sentiment had greatly changed. He came at once to New Bern, now in the hands of Federal troops, and undertook the thankless task of leading the people back to the Union. Unable to make any headway, he found his position hopeless. Almost immediately, too, he involved himself in a bitter series of quarrels with a group of New Englanders who had started a school for negroes and were also busily engaged in sending slaves to the North. These disagreements put him in the bad graces of the radical element in Congress, led by Charles Sumner. By this time Stanly was deeply disgusted with his task. He was still heart and soul for the Union but he conceived a violent hatred of the conduct of those who were fighting for it in eastern North Carolina. He declared the Federal troops "guilty of the most shameful pillaging and robbery that ever disgraced an army in any civilized land." He had held an election for Congress the fall after his appointment but the successful candidate was not seated and it was clear by now that his mission was a failure. Accordingly, on January 15, 1863, he resigned with a letter of protest to the President against the emancipation proclamation. He went to California, notifying the President that he was ready to serve in North Carolina when needed, but he was never called on and never returned to the state.

Until 1863 the voicing of peace sentiment had been individual only. The *Standard* and the Raleigh *Progress*, both formerly violent secession papers, but now equally intense in their disloyal opposition to the Confederate government, served as clearing houses for the exchange of disloyal sentiment. But in the spring of 1863 a Virginian was appointed to collect the tithe in the state. The outburst of indignation which followed was of so threatening a nature that Governor Vance secured the removal of the collector. In the meantime, however, with this appointment as a pretext, the *Standard* had called upon the people to meet and express their opinion on the state of the country. A week later Holden editorially took strong ground for peace. As a result nearly a hundred public meetings were held, distributed among about forty counties, at all of which resolutions prepared by Holden were adopted. The whole movement had been carefully planned by Holden, who was plotting to secure the withdrawal of North Carolina from the Confederacy and its return to the Union.

When the news of these happenings reached the army, there was a storm of abuse from the North Carolina troops and a demand for the suppression of seditious agitators. At home public feeling was almost as strong. The efforts of Vance, Graham, and Hale, the chief conservative leaders, to check Holden were fruitless since Holden confidently believed that the masses were with him and that he would not be harmed. Vance was particularly opposed to the meetings and finally issued a proclamation of warning to the people to desist, a proclamation that doubtless would have proved utterly unavailing if the movement had not spent its force and if General R. F. Hoke's brigade had not been ordered into the state just at this time, supposedly to keep an eye on the situation. Then the meetings ceased and Holden contented himself with keeping the *Standard* full of communications intended to keep the question of peace uppermost in the minds of the people and to stimulate hostility to the Confederate government. As a result, a brigade of Georgia soldiers passing through Raleigh sacked the *Standard* office and attempted to mob Holden who, however, escaped. The next day the press and other property of the *State Journal*, a strong war paper, were destroyed by a mob composed of Holden's sympathizers.

The fall election showed strong peace feeling in the state, and five of the Congressional representatives were from the *Standard's* candidates. During the winter the feeling grew and talk of a convention was frequent. Holden now determined upon another series of peace meetings and urged Vance to support the demand for a convention. The latter indignantly refused and the friendly relations between the two soon ended. Holden still hoped to control the governor and the resolutions adopted at the peace meetings which followed, all endorsed him, but Vance soon made it clear that he would have no part in such a program. Just at this time he was engaged in an acrimonious correspondence with President Davis in which on the whole he fared badly.

Late in February, immediately after the suspension of the privilege of the writ of habeas corpus, the *Standard* suspended publication. On March 3d Holden issued an extra to announce himself a candidate for governor. In May he resumed the publication of his paper and began to work actively for election. His following seemed large and many of Vance's supporters were downcast, little realizing the power of the man. Holden was, it is true, a man of the people and strong with the masses. He was an old and experienced political leader who was noted for his fine touch upon the pulse of popular sentiment. But he failed to realize how much he had personally helped to create and mould the peace sentiment, and, believing that it had originated with the people, he thought their minds could not be turned from it. He still wrote powerfully and was read widely but a new power had arisen in North Carolina politics—the oratory and personality of Vance. For Vance was himself a man of the people and he had won the love and affection of the people by his efforts to relieve suffering and to preserve civil liberty. Committed to the cause of the South, he had gained the support of those who had opposed him in 1862, and he had not lost the main body of the conservatives.

The campaign was one of intense feeling in which the issue in a sense came to be the withdrawal of the state from the Confederacy. Excitement was increased by the discovery of the existence of a secret and treasonable society, called the Heroes of America, but known commonly, on account of its badge, as the Red Strings. It actively supported Holden and the combination of issue and method greatly weakened him. The election resulted in the success of Vance by a largely increased majority and the peace movement as an open movement ended. Sentiment for peace continued and was intensified as the end drew near.

CHAPTER IV

ECONOMIC CONDITIONS IN WAR

North Carolina was but poorly prepared for the economic strain which the necessities of modern warfare placed upon its population. An agricultural people, there was but little which equipped them for meeting the conditions which quickly and inevitably arose. In the years preceding the war a few political leaders had preached industrial preparedness and independence but the practice had not followed upon the precept. In 1860, the manufacturing interests of the state were of but slight importance. There were thirty-nine cotton factories, all of them small. Of the seven woollen mills, only two, at Rock Island and Salem, were of any importance. Iron was worked to a small extent, but the total capital invested was only $200,000 and this was distributed among more than thirty plants. Of every kind there were only 3,689 manufacturing establishments in the state, and out of a population of 992,622, only 14,217 were employed in these factories. It is true that home manufacture supplied many of the domestic needs, but this was of small aid in solving the economic problems which the war imposed. Thus almost completely dependent upon the outside world for manufactured articles, the work done in supplying and equipping troops was little short of miraculous. But all energies were bent in that direction and as time passed the lack of all manufactured goods became a serious question.

Nevertheless the people did not despair. Substitutes of every sort were tried. Home industries were generally revived, and spinning and weaving vied with knitting as occupations for women. Rough homespun replaced the finer fabrics, most of which went into the making of comforts and necessities for soldiers. The blacksmith, the carpenter and the tanner assumed a new importance in society and developed amazing ingenuity. But almost from the beginning the labor problem was acute in some places and as the years passed it was so everywhere except on the large plantations which of course were a rarity in North Carolina. Many able-bodied negroes were impressed for work upon fortifications or other public works and the loss of their labor was keenly felt. When the conscription laws went into effect many of the millers, weavers, blacksmiths, tanners, wagon-makers, shoemakers, and carpenters were taken away from productive activities and their places could not be filled. The state was so stripped of able-bodied white men that practically all the work was done by old men and boys, by women and children, and by negro slaves. It was a desperately hard task to plant, cultivate, and gather crops on the small farms where there were no negroes, or at best one or two. When it is remembered that of the whole white population of 629,942, at least 456,652 were of non-slave-holding families, and that 52,282 more belonged to families owning only one or two slaves, a clearer view of the situation in the state is obtained. Clothing became more difficult to get and the coarsest cloth was valuable. The attics were ransacked and old clothes of every sort brought once more to light. Straw was braided at home for hats. Old letters were opened again for blank sheets of paper and the blank pages of books were used. There was scarcely anything for which some sort of substitute was not found and used. Shoes were scarce and wooden soles became common. Many of the children went barefooted throughout the war. Scarcity and a depreciated currency inflated prices to an absurd degree and enough calico for a dress often brought as much as $500. Bacon ranged in price, between September, 1862, and March, 1865, from 33 cents to $7.50; corn, from $1 to $30; eggs, from 30 cents to $5; molasses, from $3 to $25; wheat, from $3 to $50; flour per barrel, from $18 to $500; potatoes, from $1 to $30, with other supplies on a similar scale.

Food was really scarce in some sections as the war progressed and starvation was not far away from some families all the time. Even in families of comparative wealth there was often scarcity. Corn bread, cowpeas, and sorghum became valued and stock articles of diet. The black-eyed pea, or cow-pea, was extensively cultivated and was a most nutritious article of food. It is said that General Lee on one occasion called it, ''the Confederacy's best friend.'' Sweet potatoes, to which the soil of North Carolina was particularly well adapted, were also planted largely and were particularly valued on account of the absence of sugar. Wheat and flour were scarce and tremendously expensive. There was of course much corn raised, but the demand upon it for bread and for feeding stock was great and while it formed the staple article of diet it was never in any too great abundance. The Government constantly urged upon the people to abandon cotton and tobacco and plant grain crops and raise stock. The latter industry suffered greatly during the war from the prevalence of cholera and other diseases which swept away whole flocks, herds, and droves. Meat became to the average family a complete rarity. Tea and coffee disappeared and leaves of blackberry, raspberry, or holly made a vain pretense of replacing the one; while for the other, rye, okra seed, corn, hominy, and pieces of dried and roasted sweet potato made poor substitutes. Sugar was so scarce that sorghum molasses, or ''long sweetening,'' was well-nigh universally used.

North Carolina was a whiskey-drinking community and the scarcity of grain called attention to the amount that was being employed in the distillation of liquor. Public sentiment was aroused and after efforts to check the evil by means of public opinion had failed, a law was passed prohibiting it. None of this had any temperance significance but was purely a matter of food conservation. But in spite of all efforts to prevent it, much grain was employed in this way throughout the war.

While scarcity prevailed in some quarters, in other parts of the state the crops were sometimes allowed to rot in the fields because it did not pay to gather them. This situation of affairs was due to the impossibility of transporting the food crops and stock produced in the state. At the beginning of the war there were approximately nine hundred miles of railroad in the state. Fifty miles more were built during the war, connecting Greensboro with Danville. All the roads were poorly equipped when the war came and with a scarcity of engines, cars, and rails, and no possibility of securing new supplies in quantity as the old wore out, and with a vastly increased demand upon them, they quickly deteriorated and by the end of the war almost every one had been forced practically to cease operations except on the smallest scale. This was one of the heaviest handicaps to the Confederate armies and to those at home.

The state was even without an adequate source of supply of salt. The convention elected a commissioner to manufacture salt and sell it to the people at cost. John M. Worth and later D. G. Worth were commissioners. Works were established at Morehead City and were at once captured by the enemy. They were then located near Wilmington, and although the work was interrupted by yellow fever and by enemy raids, it was carried on until the close of the war, and salt was produced in large quantities. In 1864, 66,100 bushels were made. Private works were also established at various points. The state also had an interest in works at Saltville, Virginia. Here there were large deposits of salt and Nicholas W. Woodfin was placed in charge of the state's work there. The following account shows the problems he had to meet:

> Woodfin in Virginia reported in November, 1862, that he had erected furnaces and kettles, had employed slaves from Warren County at $20 per month, and that his greatest difficulty was to get food supplies. To meet these needs he agreed to refill sacks of grain with salt. So the grain supply was met. To get his beef, he sent to the mountains and drove down a herd of cattle. The hides were tanned by Rankin, Gaines and Company of Asheville for half the leather. From Nash, Johnston, Wayne and Pitt he got bacon in exchange for salt; from Randolph County he secured 4,500 yards of osnaburg to make clothes for the slaves and salt bags in exchange for salt; from Lenoir thirty-seven thousand pounds of kettles. In November he wrote that one hundred thousand bushels would be needed to save the pork crop, and that he expected to make that much during the winter. He urged upon the pork makers to kill in installments—December, January, February—so that he might keep them in salt. The Sunday problem confronted him, but he decided that it was necessary to keep his furnaces and kettles going on Sunday. He estimated that it was costing fifty cents a bushel. Various States bought salt at this place, but North Carolina was the only State that owned and managed its salt concerns. The great trouble was distribution.

In spite of these sources of supply, salt remained a scarce commodity and sold in Wilmington as high as $19 a bushel, reaching $70 in Raleigh. When the rare indulgence in fresh meat came in the interior there were many who learned the taste of hickory ashes.

Speculation in food and other supplies was common, and both Governor Clark and Governor Vance had to place embargoes upon exportation. The convention made speculation in the necessaries of life a misdemeanor, punishable by a heavy fine, but the law was without effect and the practice continued until the end of the war in spite of official threats and hostile public opinion. A board was appointed to set prices and a new schedule was published every two months for public information, but their prices were far below the market and were usually ignored.

Many families had every male member in the army and no other means of support but their pay. The pay of a private, or for that matter, of an officer, in the Confederate army, was not sufficient for the support of even one person, and consequently widespread distress soon appeared. In and around Raleigh, everyone could get a living by working in the factories and hospitals. But this only affected a small part of the population. Early in his administration, Governor Vance saw the condition which would arise, and took immediate steps to prevent suffering so far as possible. He asked Weldon N. Edwards to assemble the convention to consider what plan should be adopted to relieve distress, but this request was refused.

At the governor's recommendation, the legislature authorized him to purchase and store provisions to sell to the poor at cost and appropriated $500,000 for the purpose. A large quantity was purchased in the fall of 1862, but only a small part was needed, as the crops were unusually good. But the value of the plan was seen in the later years of the war, when the crops were smaller and food more scarce. More money had been appropriated and the relief given was beyond any calculation. In all over $6,000,000 was appropriated by the state for relief work. This action of Vance served to explain the devotion to him, akin to adoration, which was felt by so many women and younger people, particularly those in the humbler walks of life. They could not forget what the relief work had meant to them. Of course this amount of relief did not touch at all much of the suffering in the state. With conditions as they were, especially in respect to transportation, that was an impossibility. And, of course, as has been said, in spite of the widespread distress, there were portions of the state where the amount of suffering was very slight. The few records that remain of the tithe collection, show that in many places the crops were good and food abundant. But impressment and foraging by detachments of Confederate troops, and the foraging and destruction by the enemy, in the eastern and western portions of the state, led to the loss of a great part.

A great cause of suffering was the lack of drugs. Such as were used were mostly of home manufacture as the United States, in defiance of humanitarian sentiment, made medicines contraband of war. Great ingenuity was displayed in the discovery and use of substitutes. North Carolina has always been particularly rich in its supply of crude vegetable drugs, and an immense industry began at once. A laboratory was established at Lincolnton; and Wilkesboro, Asheville, and Statesville became important collection centers. The "Ad-Vance" brought in great quantities of drugs from abroad which were almost all sent to the front or used in the military hospitals in the state. Sickness, as might be expected, was very frequent. Smallpox existed in many neighborhoods and the lesser epidemics were everywhere. In 1862, Wilmington was visited by a virulent type of yellow fever which in two months caused 441 deaths. The total number of cases was 1,505. New Bern also had a sharp epidemic of yellow fever, but it was during Federal occupation and no statistics are available.

As was to be expected taxation was heavy. The first Confederate tax was assumed by the state which in turn levied a tax to pay it. This was never wholly collected. The state taxes were increased several times during the war. The tax on real estate in 1861 was one-fifth of 1 per cent, and in 1863 it was two-fifths of 1 per cent, and in 1864 was 1 per cent.

The revenue consequently more than doubled in amount, but in specie value fell one-third in 1862 and one-half in 1863. The revenue acts show a decided extension. That of 1862 included a graduated inheritance tax on all amounts exceeding $100, and also an income tax. Of all the taxes, the Confederate tax in kind bore most heavily and was, consequently, the most unpopular. To it North Carolina was the largest contributor, furnishing with Georgia and Alabama two-thirds of the whole amount of produce collected. The Confederate tax system was intended to get what the Confederacy needed and leave no room for evasion. As Professor Fleming thus describes it:

> First there was a tax of eight per cent on all agricultural products in hand on July 1, 1863, on salt, wine, and liquors, and one per cent on all moneys and credits. Second, an occupation tax ranging from $50 to $200 and from two and one-half per cent to twenty per cent of their gross sales was levied on bankers, auctioneers, brokers, druggists, butchers, fakirs, liquor dealers, merchants, pawnbrokers, lawyers, physicians, photographers, brewers, and distillers; hotels paid from $30 to $500, and theatres, $500. Third, there was an income tax of one per cent on salaries from $1,000 to $1,500, and two per cent on all over $1,500. Fourth, ten per cent on all trade in flour, bacon, corn, oats, and dry goods during 1863. Fifth, a tax in kind, by which each farmer, after reserving fifty bushels of sweet and fifty bushels of Irish potatoes, twenty bushels of peas or beans, one hundred bushels of corn or fifty bushels of wheat out of his crop of 1863, had to deliver (at a depot within eight miles) out of the remainder of his produce for that year, ten per cent of all wheat, corn, oats, rye, buckwheat, rice, sweet and Irish potatoes, hay, fodder, sugar, molasses, cotton, wool, tobacco, peas, beans and peanuts; ten per cent of all meat killed between April 24, 1863, and March 1, 1864.

To the tax in kind North Carolina had contributed, along with many other things of which no record can be found, by June, 1864, 3,000,000 pounds of bacon, 75,000 tons of hay and fodder, 770,000 bushels of wheat, besides other produce valued at $150,000. For the other Confederate taxes, the state paid, by 1864, $10,000,000.

The bonded indebtedness of the state at the time of secession was $11,119,500. Almost all of it had been contracted for internal improvements. During the war new bonds to the amount of $1,619,000 were issued for the same purpose. As an offset to this debt the state held corporation stocks and bonds to the amount of $9,297,664.

This debt was speedily increased by the convention and the legislature, both of which authorized from time to time large issues of treasury notes and of bonds. In the war period, thus, a total of $20,400,000 in treasury notes was authorized, and of this $8,507,847.50 were issued, $3,261,511.25 being withdrawn later, leaving in circulation at the close of the war $5,246,336.25. Bonds were issued to the amount of $13,121,500. After deducting the unsold bonds in England, those redeemed, and those in the sinking fund, the balance was $9,119,000. Unpaid interest and similar items made the total war debt, including treasury notes and internal improvement bonds, $16,596,485.61. But corporation bonds amounting to $6,800,000 were held as a partial offset to this. In addition to the state debt individual counties owed a sum estimated in 1864 at $20,000,000. This debt had been contracted by the county courts, chiefly to provide for the destitute families of soldiers.

State of North Carolina
STATE of NORTH CAROLINA
SEVENTY FIVE CENTS
75
STATE of NORTH CAROLINA
15
TEN CENTS
STATE of NORTH CAROLINA
10
TEN DOLLARS
RALEIGH

North Carolina Civil War Money

The banks of the state suspended specie payments in November, 1860. Resumption, as has been seen, was delayed until the state debt should be paid. In May, 1861, the banks agreed to lend the state 20 per cent of their capital stock. This proportion, in most cases, was largely increased later. Bank-note extension never went so far in North Carolina as in the other Southern states, and consequently depreciation was less. But Confederate currency fell in value to such an extent that the legislature in 1863, attempting to raise it passed a resolution pledging that the state would resist any attempt to repudiate it. Naturally, with such an immense volume of currency, depreciation began soon in the state's notes as well. This continued until the end of the war. The following table gives an idea of the process of depreciation which began in November, 1861:

HOME MADE ARTICLES

	1862	1863	1864	1865
January	$1.20	$3.00	$21.00	$50.00
April	1.50	5.00	20.00	100.00
July	1.50	9.00	21.00	
October	2.00	14.00	26.00	

By November, 1864, a state bond for $100 was worth $7.40, and a Confederate bond of the same amount was worth $4. At the beginning of the war the banks had more than $1,000,000 in specie, and at the close they still had about $800,000.

Life of course went on as it does when people become accustomed to war. With almost every house a house of mourning, gloom hung over the state as indeed it did over all the South. Yet young people danced and were gay, there was marriage and giving in marriage, and birth in the midst of death. All classes rallied to support of the cause. Mrs. Spencer well describes the splendid way in which the people met the demands of the time:

> Few were the hearts in any part of the land that did not thrill at the thought that those who were fighting for us were in want of food. From the humble cabin on the hillside, where the old brown spinning-wheel and the rude loom were the only breastworks against starvation, up through all grades of life, there were none who did not feel a deep and tender, almost heart-breaking solicitude for our noble soldiers. For them the last barrel of flour was divided, the last luxury in homes that had once abounded was cheerfully surrendered. Every available resource was taxed, every expedient of domestic economy was put in practice * * * I speak now of Central North Carolina, where many families of the highest respectability and refinement lived for months on corn-bread, sorghum, and peas; where meat was seldom on the table, tea and coffee never; where dried apples and peaches were a luxury; where children went barefoot through the winter, and ladies made their own shoes, and wove their own homespuns; where the carpets were cut up into blankets, and window-curtains and sheets were torn up for hospital uses; where soldiers' socks were knit day and night, while for home service clothes were twice turned and patches were patched again; and all this continually, and with an energy and a cheerfulness that may well be called heroic.

And so the war went on. Women, giving themselves, with all their enthusiasm to the cause of the South, held men in the ranks to fight what they came to regard as in a peculiar sense their battle; and overseeing the negroes at home, or doing field work themselves when, as in the majority of cases, there were no negroes, kept the system going. It was a frightful responsibility, but they lived up to it, splendidly supported by the negroes who, wherever Federal troops did not penetrate, displayed a loyalty and devotion which could scarcely be surpassed./Unprotected women were safe in their care and the later South owes still a debt of gratitude which Reconstruction, even if the negro had been responsible—and he was not could in no wise cancel.

When 1865 came the state was financially prostrate and the complete economic breakdown and ruin which were in sight were only averted by the close of hostilities.

CHAPTER V

PRESIDENTIAL RESTORATION

As has been seen Federal troops entered the state in March. Johnston surrendered in April and Sherman for a time was in command of the state. He was still strongly in favor of the plan of making use of the existing state government in the work of reorganization, a plan in which he almost certainly had had the support of President Lincoln. But he was overruled by the Washington authorities, with what has since been seen to be a lack of judgment, and a fine opportunity for rapid and complete restoration was lost.

In May, General John B. Schofield took military command of North Carolina. In a comparatively short time relative quiet came to the state. General Schofield was a man of highest ability and furthermore possessed of a large amount of tact, sympathy and common sense. Immediately he issued proclamations announcing the cessation of hostilities, the freedom of the slaves, and a code for the freedmen. The oath of allegiance was made a prerequisite for a marriage license or for engaging in any business or profession. The towns were soon quiet, but the country was not. Nor were the inhabitants altogether to blame; for the Federal troops did not soon shake off the habits formed during the war, and even after the proclamation of the final cessation of hostilities, the plundering and wanton destruction of property continued, often accompanied by outrage and violence. This, however, was the exception, and not the rule. The disbanded Confederate soldiers, particularly the cavalry, foraged to some extent as they went home. But their opportunities were not so great and sympathy among them, naturally, was greater.

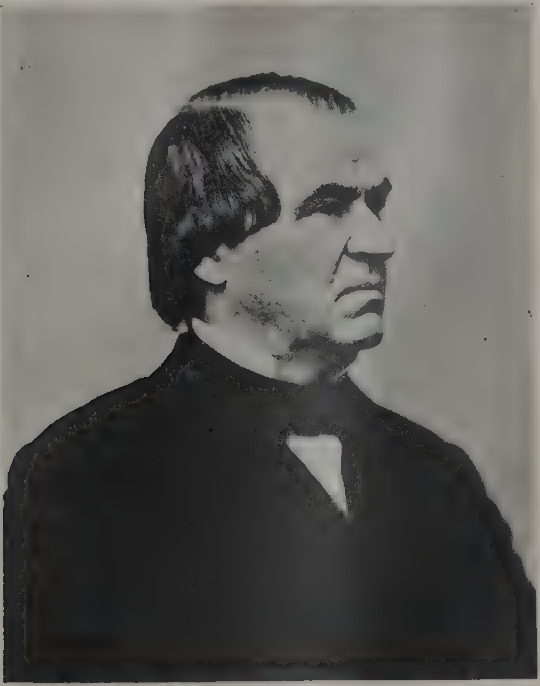
To put an end to this condition of affairs, General Schofield began the organization of a police force for each county, detailing General J. D. Cox for the work in the western part of the state, General Terry for the central, and Generals Hawley and Palmer for the eastern. They were instructed to have bodies of troops visit all portions of the state and arrest marauders. General Schofield also had the oath of allegiance administered to certain magistrates of known Union sympathies and left them in the exercise of their functions. Prompt justice was meted out to offenders, in and out of the army, whenever it was possible, and whenever the troops showed disorganization they were mustered out. Every effort was used to have the restrictions on trade removed, for the commander felt that peace would be more quickly restored when destitution, resulting from the abnormal conditions, was relieved, and the people were employed in their usual occupa-

General John B. Schofield

tions. He also opposed the rulings of the treasury department in regard to trade.

The delay in making known the policy of the United States government regarding re-organization of the civil government of the state was considered very unfortunate by General Schofield, since he was convinced that the people were well disposed and were ready to make and accept any necessary changes. For the re-organization, he desired the appointment of a military governor who should declare in force the constitution of the state as it existed prior to secession, and appoint officers to serve until the work was completed. An enrolment should then be made of all citizens qualified to vote by state law, after administration of the amnesty oath. A convention should be called and its action submitted to the people. He was anxious to be selected as military governor for the state, provided some such plan as this was adopted, but if negro suffrage was to be included he preferred to have no part in it. General Halleck recommended him for the position, but later withdrew his endorsement on the ground that he could not recommend anyone who had advised Sherman to make the terms which had been proposed with Johnston. General Schofield's measures for pacification and conciliation, meanwhile, were meeting with such success that when he applied for leave, early in June, he said that the presence of troops in the state seemed almost unnecessary. His conduct of affairs met with the hearty approval of his superiors, and, in every way, he deserved and received the cordial gratitude of the people of the state.

General Schofield would have made an ideal provisional governor but the President had other ideas. Early in May he summoned to Washington a number of North Carolinians, including William W. Holden, David L. Swain, B. F. Moore, William Eaton and a number of Holden's friends and supporters. A conference was held by Moore, Swain, and Eaton with the President who showed them the proclamation which had already been prepared for inaugurating the proposed scheme of restoration in North Carolina. Moore vehemently opposed the plan as unconstitutional, urging the President to allow the legislature to meet and call a convention and thus preserve the legal continuity of the state government. The President was entirely good-natured but unchangeable. The next day another conference was held with the entire group present. The President requested them to name the provisional governor. Moore, Swain, and Eaton declined to take any part in the proceedings and the others chose Holden who was at once appointed.



President Andrew Johnson

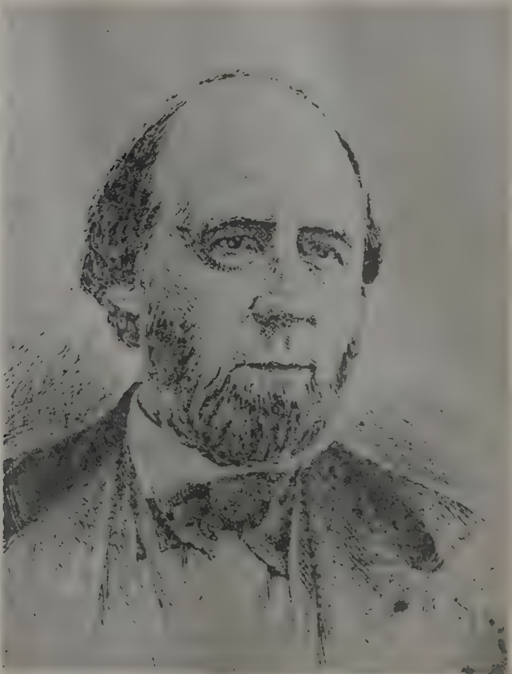
The appointment was one which might have been expected but it was a most unfortunate one. Holden had played fast and loose with all parties, factions, and classes, and had in consequence lost the confidence of nearly every responsible leader of opinion in the state. In addition, he had won the bitter enmity of a very large and influential class. Not less important in determining the character of his administration, he was consumed with ambition and was certain to try to use his position for the punishment of his opponents and for contributing to his own advancement. President Johnson formally began his policy of reconstruction on May 29th by issuing a proclamation granting general amnesty and pardon to those who had been engaged in rebellion against the authority of the United States. This restored rights of property except in slaves and except when legal proceedings for confiscation had been instituted. An oath was provided to be taken by all accepting the benefits of the proclamation. Fourteen classes of persons were excepted from the benefits of this proclamation. These included the executive and diplomatic officers of the Confederacy, those who left the service of the United States to aid the Confederacy, the governors of the states in insurrection, all military and naval officers in the Confederate service whose rank was above that of colonel and lieutenant, respectively, and all who voluntarily took part in the war whose taxable property exceeded in value $20,000. Any person belonging to an excepted class could make application to the President for a special pardon, and a promise of liberal executive clemency was extended. The secretary of state was directed to establish rules for the administration of the oath.

The same day the President issued another proclamation appointing William W. Holden provisional governor of North Carolina. This was the first of a series of similar proclamations for all the Southern states. It was based upon the war power of the President as commander-in-chief. It gave the provisional governor so appointed power to prescribe the necessary rules for calling and assembling a convention whose delegates should be chosen by the portion of the population that was loyal to the United States at that time when it should be called. This convention was given authority to exercise all powers necessary to restore the state to her constitutional relations with the United States Government, and present such a republican form of government as would entitle the state to the guarantee of the United States against invasion, insurrection, and domestic violence. It was directed to prescribe qualifications for electors and for holders of office. The proclamation itself prescribed as qualifications for electors and delegates to the convention that they should have taken the amnesty oath as provided in the President's proclamation, and that they should be voters qualified by the state constitution in force previous to May 20, 1861. All persons in the military and naval service were directed to aid the provisional governor and enjoined from hindering and discouraging the loyal people from organizing a state government. The heads of the various departments were ordered to put into operation the laws of the United States and the district judge was ordered to hold the courts.

On June 12th, Governor Holden issued a proclamation in which summarizing the President's proclamations, he outlined his policy. He announced that he would soon call a convention to provide for carrying out the work of restoration and that in the meantime he would at once appoint provisional state and county officers. He urged the loyal people in the state to take an interest in public affairs, to discourage disloyalty, and to elect to office only the friends of the United States. He devoted some space to bitter denunciation of the Confederate government, congratulating the people upon their deliverance from it. He gave good and kindly advice to the negroes, promising assistance from the Government, and closed with a declaration of ''charity for all with malice towards none.''

At first the governor moved very slowly and carefully in his work. He was criticised for his delay in calling the convention, but this was scarcely just, since he was overwhelmed with pardon matters, thousands of applications requiring his endorsement. Here, indeed there was room for criticism, since he recommended the pardon of many intense secessionists and advised suspension of pardon in the case of such men as William A. Graham, John M. Morehead, Josiah Turner, John A. Gilmer and many others who had opposed secession with all their power. Later on he kept from pardon certain candidates for the convention whom he wished excluded. In some cases his efforts to prevent pardon were ineffectual.

Under instruction from the President the expenses of the provisional government were paid by the war department. This was fortunate since there was no money in the treasury and the mass of the people were destitute. Just before the close of the war, the state owned a large quantity of cotton and rosin and Governor Holden was notified by Secretary Seward that this could be retained. Most of it, however, had already been seized and the treasury department only allowed the state to take the "ungathered debris." Holden appointed Jonathan Worth state treasurer and he succeeded in saving of this an amount that brought $150,000.



Governor William W. Holden

By the end of July the governor had appointed more than three thousand magistrates, officers for the counties and towns, judges and solicitors, and directors in the corporations in which the state had an interest. In almost all cases he chose former whigs, and for high position recommended only one democrat, that being Robert P. Dick, whom the President appointed district judge but who could not take the iron-clad oath.

The state was full of travellers and newspaper men from the North who sent home highly inaccurate accounts of the conditions which prevailed. According to these, hostility to the United States was rampant, a new rebellion was being planned, and, in the selection of officers, Union men were ignored. Absurd as the reports were, they were credited in the North and were in the main written with the end of misrepresentation in view. Governor Holden was thus attacked on both sides and in this case without justice for in the matter of appointments he certainly displayed no partiality for secessionists. In fact, leaving out of consideration all questions of motive or of his action in some individual cases, his work was well done. He was far less proscriptive than his enemies or even his friends had expected.

On August 8th, he ordered an election of delegates to a convention of the people. Voting and membership were limited to those who had been pardoned. The campaign was quiet as there were no issues. Slavery and secession were alike dead and apparently only the question of the war debt remained as a problem, and concerning this there was little or no discussion. It was generally thought that the matter should not be touched at the time, a view in which the *Standard*, Holden's paper, agreed. Personal differences arose of course in the campaign and the exclusion of some unpardoned men, notably, William A. Graham, aroused such feeling that many who were qualified to vote refused, claiming that the candidates were dictated.

The convention met in Raleigh on October 2d, and organized by unanimously electing Judge Edwin G. Reade president. The body, composed mainly of former whigs, contained few who had been secessionists, although almost all had submitted quietly to the will of the majority. Quite a number of the members had been connected with the peace party during the war. While not composed of men of first rate ability, or those of wide experience, it nevertheless had a considerable number who had served in the legislature or in previous conventions. All were sincerely anxious to restore the state to its normal relations with the Union. The more important leaders in the body were B. F. Moore, Edward Conigland, M. E. Manly, Thomas Settle, George Howard, William Eaton, and Dennis D. Ferebee.

The president, Judge Reade, had been a member of Congress, Confederate senator, Superior Court judge and was at the time a provisional justice of the Supreme Court. In taking the chair he made an eloquent address, looking to speedy reconciliation and union.

In conversation and in correspondence, President Johnson had made it clear that he expected of the convention that it should pass ordinances nullifying the ordinance of secession and abolishing slavery and that the first legislature should ratify the Thirteenth Amendment. The convention took up first the secession question. All wanted the matter ended finally since all recognized that the doctrine was dead, but a division appeared as to the means. An influential though small minority desired a simple repeal of the secession ordinance, while the majority desired and insisted upon an ordinance which would declare it null and void from the beginning. A bitter debate arose out of the question but the majority finally enforced its will. The ordinance abolishing slavery caused no such discussion and was passed unanimously. Both were ordered submitted to the people for ratification.

The two great objects of the convention having been accomplished, attention was turned to the reorganization of the state government. The election of state and county officials, members of Congress and of the legislature were provided for, all offices, whose incumbents had taken the oath of allegiance to the Confederate States, were declared vacant, but all laws and official acts since May 20, 1861, not inconsistent with the state and federal constitutions were declared valid as were the acts of the provisional governor and his agents, and all contracts were declared binding, the legislature being instructed to prepare a scale of depreciation of the currency during the whole period of the war. A large number of less important ordinances were passed and the only matter unsettled was that of the state debt.

A committee was appointed to consider the question and it finally recommended that no action be taken at that session. A resolution to repudiate the debt incurred in aid of the war was at once introduced and considerable debate followed. Immediately there was shown to the members a letter to Governor Holden from the state agent in Washington, Dr. R. J. Powell, which quoted every member of the cabinet except Secretary Stanton in statements to the effect that no action be taken at the time. This seemed conclusive as to the opinion of the national administration and the governor, and the resolution was tabled and in general this action seemed acceptable to the press and to the public.

But a surprise was in store for the state and the convention. For some reason Governor Holden changed his opinion. This was probably due to his discovery that the opposition to him had come to a focus in the selection of Jonathan Worth as a candidate for governor. Representing as Worth did the property-owning class, it probably seemed necessary to Holden to make a special appeal to the masses who owned no bonds and would probably welcome repudiation. At any rate, on the day after he learned of the plan to run Worth, he telegraphed the President that the convention had involved itself in a bitter discussion of the debt and that the people were believed to be opposed to paying it, and asking if it should not be repudiated. This false statement of the case was effective. The President at once sent a very strong letter demanding repudiation and the convention, under this influence, adopted an ordinance repudiating the entire debt incurred in aid of the war. The requirement of the President paved the way for the later repudiation of the special tax bonds and was undoubtedly a wise demand at the time from the theoretical standpoint, but it caused terrible hardship. It forced every bank in the state into liquidation and most of them to complete ruin, impoverished thousands of the people on whom prosperity depended, swept away the larger part of the property of the University, and seriously impaired the Literary Fund which supported the public school system The responsibility for all this, in the minds of the people, rested upon

Holden and his action was deeply resented. It assured his defeat in the approaching election.

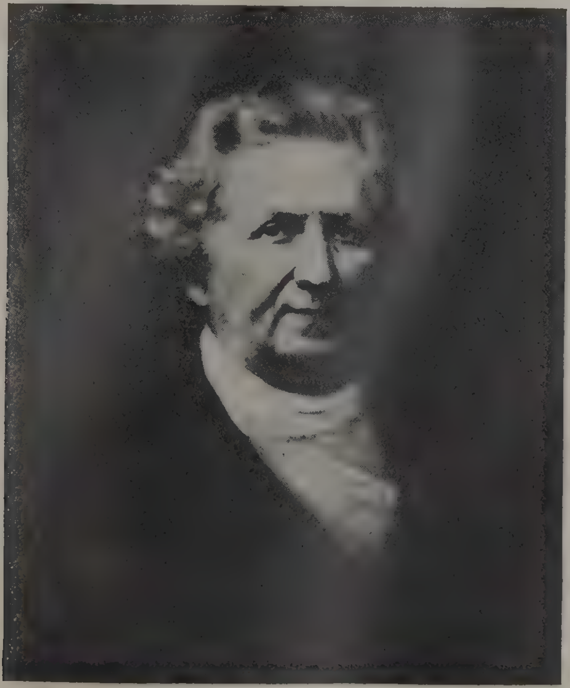
The convention adjourned until May 24, 1866, and the campaign began at once. Holden had been requested by a large minority of the members of the convention to be a candidate and accepted. The opposition to him, after casting about for some time, had, as has been seen, settled upon Worth, a man of much practical ability and of high character. He was reluctant but finally agreed to run.

The campaign which followed was very actively conducted and grew increasingly bitter as time passed. Neither candidate took any open part, but there were twenty-three aspirants for the seven seats in Congress and at least 500 for the 170 seats in the legislature so there was no lack of speakers. The press entered enthusiastically into the battle and the lines began to be drawn here which were to endure for years.

Holden's supporters, with the *Standard* as a mouthpiece, sought at first to defeat Worth by ridicule, but when his strength became apparent, with some success they attempted to identify him with the original secession element and to intimate that his candidacy amounted to disloyalty and even to an actual defiance of the United States. In the state it was generally known that Worth's Union record was far better than Holden's, but outside the state misunderstanding of the conditions was usual, and even the President was for a time deceived. The most important question in the state was that of restoration to the Union, and the slogan: "William W. Holden and Go Back to the Union, or Jonathan Worth and Stay Out of the Union," was highly effective, giving Holden a strength he would not otherwise have had.

Worth's supporters, on the other hand, did not fail to emphasize the political unreliability of Holden and to point out his action in relation to the war debt as an example of it. In time they succeeded in making Holden himself the issue, and the day had passed when he, on his own merits, could command a majority of the white men of the state although he now had the support of such men as B. F. Moore, R. S. Donnell, and Bedford Brown. Instrumental in this shift of issue was the *Sentinel* newspaper edited by W. E. Pell.

When the election came Worth received a majority of almost six thousand. The two ordinances were ratified in a light vote. Of the seven congressmen chosen, all had originally opposed secession and all but two had been whigs. But two had been in the Confederate Congress and only two could take the iron-clad oath required for admission.



WILLIAM E. PELL
Founder of the Sentinel

The President was much disappointed in the result and, in a letter requesting Holden to continue for a time as provisional governor, frankly said so. Holden took this to mean that Worth's election might not be recognized as valid and he eagerly sought to secure this action by the President.

The legislature met late in November. Thomas Settle was elected speaker of the House and Samuel F. Phillips speaker of the Senate. The governor's message emphasized the necessity of immediate ratification of the Thirteenth Amendment and the question was taken up at once. Opposition to the clause giving Congress the power of enforcement was evident and four members of the Senate offered a formal protest against ratification, but both houses voted it by large majorities. Later a declaration that the power of Congress to legislate on the subject of the freedmen was not enlarged was passed.

To offset Holden's charges of disloyalty a series of resolutions was then passed, declaring that the people of the state accepted in good faith the President's terms and that they were loyal to the government of the United States and were ready to make any sacrifice, any concessions consistent with honor and safety, for the restoration of harmony.

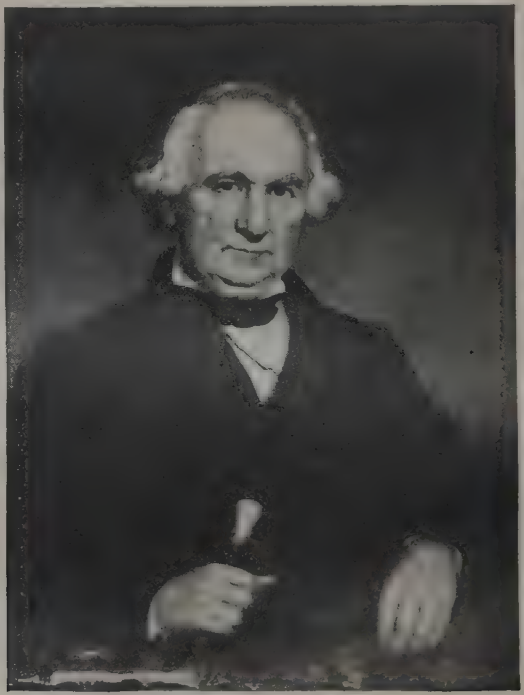
Most of the session was spent in filling offices declared vacant by the convention. William A. Graham and John Pool were elected to the Senate, Holden having been privately offered the latter's seat and having refused it. Two members of the old Supreme Court were re-elected and Judge Reade replaced Judge Manly. Most of Holden's appointees to the Superior bench were elected as well as several of the solicitors. Almost all the new officials were former whigs, most of the democrats retiring into an obscurity that was to last for some years.

When Congress met the senators and representatives chosen presented themselves at Washington to be sworn in, but were denied admission along with the members from the other late Confederate States. Under the lead of Thaddeus Stevens the contest with the President was joined concerning the question of Reconstruction which was to end only with the entire overthrow of the President's plan.

It was not deemed wise to take up general legislative matters while the status of the state was unsettled and so, after filling all the vacancies and administering the oath of office to Worth, the legislature adjourned until the following February.

On December 23d, in spite of Holden's efforts, Secretary Seward notified him and Worth that in the opinion of the

Governor Jonathan Worth



Bartholomew F. Moore

President the time had come to end the provisional government, and on December 28th, Governor Worth assumed office.

Throughout the administration of the provisional governor there was constant interference by the military authorities with civil functions. At first there had been no question of distinction between civil and military powers. In a sense the provisional governor was more a military than a civil official. His appointment and authority were based upon the war power of the President and his chief duty was to restore civil government. North Carolina formed a military department at first under General Schofield and later under General Ruger. Still later it became a part of the Department of the South under General Sickles.

As might have been expected conflict soon arose. The first case was when General Ruger ignored an agreement of General Schofield with Governor Holden and forbade the organization of a county police. Later, trouble arose from the presence of ill-disciplined negro troops at a number of places in the state. From the summer of 1865 until September, 1866, they were a serious menace to peace and security, not only from their evil influence upon the freedmen, but also because of their repeated and flagrant crimes, all the perpetrators of which went unwhipped of justice.

It was, however, in relation to the administration of justice by the civil courts that the chief conflicts arose. They first appeared in cases involving freedmen, in which General Ruger asserted the jurisdiction of the military authorities and declined to recognize the civil power. They later appeared in cases affecting white persons alone. The question was carried to the President who declined to interfere, but an agreement was finally reached by which the civil courts had sole juris- of cases affecting white persons and were empowered to bind over for trial and even to lodge in jail persons of color accused of crime. In the final disposition of the latter, as in all other cases involving freedmen, the military power was supreme. But in a number of cases white persons were tried by military commission and the writ of habeas corpus was ignored.

Nor were such cases the only ones in which military law was applied. Newspaper editors were tried and punished for the publication of sentiments distasteful to the conquerors. Corporal punishment by the civil courts was abolished, civil processes were checked or forbidden, and the collection of revenue stopped. Nor did these things cease with the close of the provisional government, but lasted throughout the period of presidential restoration.

Several times interference occurred in the collection of taxes. The convention of 1865 levied a tax on all mercantile business for that year. In Wilmington, in January, 1866, General Cook, who was then in command, issued an order restraining the sheriff of New Hanover from collecting the tax from firms trading under a Federal license. This ruling, however, was revoked by General Ruger. In 1866, General J. C. Robinson interfered in the collection of a poll tax in Cumberland and Columbus counties, ordering the sheriffs to refund all collected above $1, as the state had only levied that amount. He was probably ignorant of the fact that the law had a provision for increasing the amount according to the necessities of each county.

Such was the part played by the army in North Carolina in civil affairs during the period of presidential restoration. Enough has been shown of the workings of the state government to make it clear that while by degrees much was left to the state authorities, the government was practically military in that the state government performed its functions only through the acquiescence of the military commanders. These commanders, in general, showed themselves to be considerate and animated by a desire for peace and harmony. But they were naturally inclined to disregard points of law which were of importance to a civilian, and when their minds were made up to any course it was practically useless to advance any arguments in opposition. While their interference in civil affairs was deeply resented and sharply, if uselessly, opposed in the state, the officers generally were personally popular in the various communities in which they were stationed.

Probably the most pressing problem which confronted the people of the state, short of that of restoration to the Union, was that of the freedmen. Even before hostilities closed, the Federal military authorities were confronted with it and at the close of the war the situation was acute. General Schofield issued a series of regulations for their government and control which were fair but which had little effect.

To meet the difficulty which was of course a general one, the Freedmen's Bureau was established under the war department in March, 1865. Charged with the duty of looking after the interests of the vast hordes of negroes who were at that time following the Federal armies or who had otherwise become a charge upon the Government, it became one of the most important factors in Reconstruction. Created for the purpose of caring for the homeless, destitute, and suffering of the negro race, regarded by many as the wards of the nation, it became by judicious manipulation the most active radical political agency in the South, and because of that fact it has often failed to receive due credit for the good which is actually accomplished.

At the head of it was General Oliver O. Howard and the assistant commissioners for North Carolina were in turn Colonel Eliphalet Whittlesey, General Thomas H. Ruger, General John C. Robinson, Colonel James V. Bomford, and General Nelson A. Miles. The assistant commissioner was given supervision over abandoned land and over all matters relating to refugees and freedmen. The wants of the needy were to be supplied and the freedom of the negroes guaranteed. Other matters coming within his province were the family relations of the freedmen, the settlement of differences and difficulties between the negroes and the whites, assistance to the negroes in securing land, and the removal of prejudice on the part of old masters. This last duty shows very clearly the attitude of the bureau. Stress was also laid upon instruction of the freedmen as to their new duties and responsibilities. The assistant commissioner was subject to military rules, but wide jurisdiction was given him in matters of detail.

The relief of the destitute was one of the most important of the activities of the bureau and vast supplies of food, clothing, and medicines were issued to the destitute of both races. The food alone, issued in North Carolina, amounted in value to about $1,500,000. Hospitals were established which handled during the period more than forty thousand patients.

Another activity of the bureau was the attempt to settle freedmen upon abandoned lands. This was soon checked, however, by the President's restoration to the owners of most of the land, a thing which prevented much injustice as the agents of the bureau had shown generally an utter disregard for private property.

Far more important in its effects upon the state as a whole than the relief of the destitute was the relationship which was soon established between labor and the bureau. The witnessing of contracts for labor and their enforcement were undertaken by the bureau with varying results. The proper preparation of contracts was a good thing and a protection to both parties, but in the enforcement of the contracts by subordinate officers the employers were usually treated badly. The trouble here was the main trouble with the bureau; its higher officials were equipped and on the whole good men, while its subordinates were narrow and stupid, or designing and vicious persons who were busily building up a political machine and, in the furtherance of their nefarious schemes, engaged in arousing the negroes against the white people.

To enable the bureau to carry on the enforcement of contracts and otherwise to protect the freedmen, it was given a large judicial power and it at once also came into conflict with the courts. Allusion has already been made to the compromise effected with the civil authorities. But thousands of cases were settled by the bureau.

During the whole period the bureau was actively engaged in promoting the education of the negroes by the support and foundation of schools. By July, 1869, 431 schools were in operation with 439 teachers and 20,227 pupils.

Summing up its work, it is clear that great relief was furnished the destitute and hundreds and probably thousands were kept from starvation. But it undoubtedly encouraged in the freedman a dangerous dependence on the government and thus disorganized labor on which the prosperity of both races depended. In the matter of protection a substantial service was rendered by the bureau to the cause of justice to the negroes, but at the same time there was a vast amount of injustice done to white people. Aid of much value in assisting the freedmen to find employment was given, but here again, dependence and distrust of the native white people were encouraged.

Finally, in its educational activities, the bureau was of considerable assistance in encouraging negro education, but, even in this regard, it held out false hopes to the negroes, gave encouragement to false educational ideals which have not yet been entirely replaced by sound ones, and through fanaticism and lack of tact made many enemies for negro education in general.

Gross fraud characterized the management of affairs in North Carolina, a fact which shows the character of the agents. Political activity on the part of agents was very usual and it was of the kind that sought to array race against race. Hostility on the part of the mass of the native whites was to be expected and the feeling was a just one. The bureau had really outlived its usefulness and it was a good thing for both races when it ceased to exist. Certainly there was among white people no regret at its demise and no respect for the departed.

Everyone in the state recognized that action looking to a settlement of the status of the negroes must be taken without delay. It was demanded by considerations of the most vital importance. The position of the free negroes in North Carolina previous to the war was different from that in most of the other Southern states. The same was true after general emancipation had taken place. By a decision rendered by Judge Gaston in 1838 the inhabitants of the state were declared to form two classes, citizens and aliens. Slaves, from their condition, belonged to the latter class, but free persons of color formed part of the former class. By emancipation, therefore, citizenship was immediately conferred upon some three hundred thousand persons who had hitherto been "aliens through the disability of slavery." Free negroes hitherto had been, like other citizens, entitled to the privilege of the writ of habeas corpus, to trial by jury, to own property, even in slaves, to prosecute and defend suits in courts of justice, and, as incident to this, to make affidavits for a continuance and to prove by their own oaths, even against white persons, accounts for labor to the amount of $60. But the free negroes had been accustomed to the exercise of their liberties and were limited in number. When the end of the war brought general emancipation, the fear naturally arose that the freedmen, newly endowed with citizenship, would be unprepared for its rights without special limitations. The question thus arose as to what changes would have to be made to enable this new class of citizens to enter upon their rights, and, at the same time, their duties, without disturbance and injury to the body politic. To decide this question, the convention had authorized a commission to be appointed by the provisional governor, and Governor Holden had appointed B. F. Moore, W. S. Mason, and R. S. Donnell, who at once began their work.

They presented their report to the General Assembly in January, 1866. It was an able and elaborate discussion of the whole subject with a proposed scheme of legislation, based on the recognized citizenship of the freedmen. They advised the repeal of all laws which affected specially the colored race, and the re-enacting of such as were necessary. The main bill which they recommended, and which was passed with a few minor changes, defined as persons of color negroes and their issue to the fourth generation, even when one parent was white in each generation. They were declared entitled to the same rights and privileges and subject to the same disabilities as free persons of color prior to general emancipation. They were also declared entitled to the same privileges as white persons in suits and proceedings at law and in equity. The law of apprenticeship was altered so as to apply to both races alike, with the one exception, that in the case of the negroes, former owners had a preference over all other persons. The marriage of former slaves was made valid, and provision was made for registration. Marriage between white and colored persons was forbidden, and a penalty provided for issuing license in such cases and for performing the ceremony. All contracts, where one or more of the parties were colored, for property of the value of $10 or more, were void, unless put in writing, signed by the parties, and witnessed by a white person who could read and write. Persons of color were declared competent witnesses in all cases at law or in equity where the rights or property of persons of color were involved, and also in pleas of the state where the offense was alleged to have been committed against a person of color. In other cases their testimony was admissible by consent. This was not to go into effect until jurisdiction in affairs relating to the freedmen should be left to the state courts. All criminal laws were changed so as to apply alike to both races, and the punishment was made the same except in the case of an assault with intent to commit rape upon a white woman. When the assault was committed by a person of color it was a capital offense; otherwise it was an aggravated assault and punishable under the common law by fine and imprisonment. A special court of wardens for the colored poor was authorized for each county.

The report met with considerable opposition for there was a general feeling against giving the negroes the right to testify but finally the bill passed. At the same time the commission secured the passage of acts providing punishment for a considerable number of offenses, common among the negroes but operating on both races alike.

The system adopted was eminently just and was notable among the so-called "Black Codes." It failed, however, to win the approval of officials of the Freedmen's Bureau who would not surrender their jurisdiction over the freedmen. For this reason the convention, when it reassembled, abolished all discriminations.

The social and economic condition of the freedmen during 1865 and 1866 was one that might well excite pity. Their first instinct upon emancipation had naturally been to move about and put their freedom to a test. This test was frequently made by a change of name, residence, employment, and wife. Town life, with its excitement, furnished an almost irresistible attraction, and only the presence of troops was necessary to render it completely so. Freedom, in their minds, meant freedom not only from slavery but from work, with a continuation of their former freedom from responsibility. Refusal to work resulted naturally in want of the necessaries of life, and sickness and destitution were general in the towns. In the country matters were somewhat better. There the demoralization of those that remained was not so great and support was more easily obtained either by labor or dishonesty. Crime increased greatly as time went by. The newspapers in almost every issue, had accounts of violence and crime committed by freedmen, and, in most cases, these went unpunished. The bureau agents, either from intention or inability, accomplished little to remedy the condition of affairs. In many instances it was impossible for the farmers to keep the smaller live stock with any degree of security, and even horses and cattle were frequently stolen. The large number of wandering negroes increased the difficulty of bringing the offenders to justice.

To add to the difficulty of settling the problem of the negro, outside influences were brought to bear. Petitions to the President were circulated asking for equal political privileges with the white people. Series of meetings were held at various towns and later a convention met in Raleigh at which appeared some of the negroes who were to become prominent later, notably J. W. Hood, a carpet-bagger from Connecticut, and James H. Harris and A. H. Galloway, natives who had been educated in the North. These leaders were looking to suffrage but the time was not regarded as ripe and they contented themselves with a well-written request to the constitutional convention for protection and education.

The question of negro suffrage was already under discussion. Alfred M. Waddell, of Wilmington, in August, 1865, in a speech to the negroes, advocated it for those qualified. The *Sentinel*, a little later, while opposed, opened its columns to a strong series of unsigned articles written by Victor C. Barringer in advocacy of negro suffrage. The interesting fact in connection with the discussion was the absence of strong feeling. Of opposition there was a great deal, but so conservative a man as D. L. Swain favored restricted suffrage for the lower house for the freedmen under certain circumstances. The only bitterness of opposition came from the *Standard*, again edited by Holden, and the group of men who, now favoring very severe restrictions upon the freedmen, were later, under the leadership of Holden, to organize in North Carolina the republican party upon the foundation of unrestricted negro suffrage.

Upon the inauguration of Governor Worth, Holden, as has been said, resumed editorial control of the *Standard* which soon became an opposition paper, not only as regarded state politics, but in national matters as well. In the spring of 1866 abuse of the radicals had ceased and by the summer Holden was definitely aligned with them in opposition to the President's policy. In state affairs he was increasingly bitter, asserting that traitors were in control of the government and declaring open war upon them.

About this time the convention met in adjourned session and undertook to revise the constitution, in spite of the opposition of a considerable number of members who doubted its authority for such work. In June the work was completed and the new constitution was submitted for ratification. It was in form and arrangement largely the work of B. F. Moore. It was a more compact instrument than the original and had several changes of importance. The basis of representation for the House of Commons was changed to white population, the office of lieutenant-governor was established, and the qualifications for office-holding were somewhat altered. No one could be governor or lieutenant-governor unless he had been for twenty years a citizen of the United States and five years a resident of the state, and possessed land in fee to the value of $2,000. The freehold qualification of senators and members of the House of Commons were changed and five years' residence was required. Suffrage and office-holding were limited to white persons.

There was but little opposition to the constitution itself and it would doubtless have been ratified but for the feeling that the convention was lacking in authority to alter the fundamental law in a general way. A letter, written by Judge Ruffin to Edward Conigland and published without signature, which strongly emphasized this point turned the tide against ratification and it was rejected by a majority of less than two thousand.

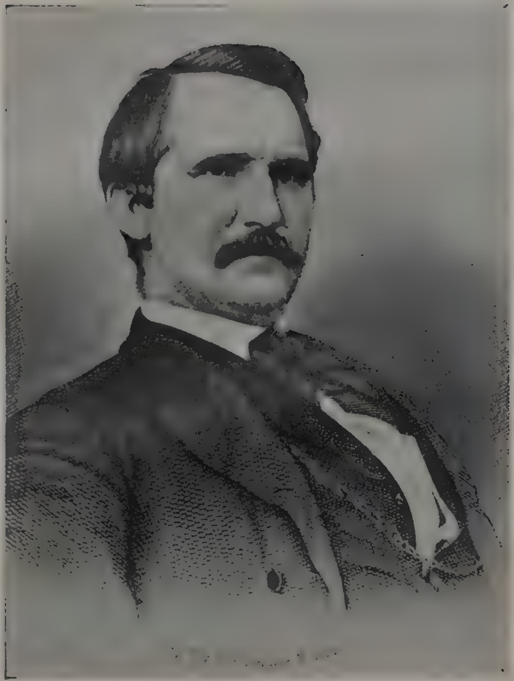
In June, Governor Worth, who had favored ratification, announced himself a candidate for re-election. Holden knew that he could not himself win, but he was determined on a contest in order to maintain the lines of party cleavage. Already there were developing within the state the beginnings of party division. The supporters of the President sent delegates to the National Union convention in Philadelphia in August, and in the Southern Unionist convention which met in the same place two weeks later there was a considerable body of men who claimed North Carolina as home although only two were natives. One of these had left the state in 1842. Four were of the type soon to be known as carpet-baggers, including Albion W. Tourgee and Byron Laflin who were to win imperishable notoriety by their later leadership in evil. The former was particularly active in the convention and was vehement in his demand for negro suffrage.

With the meeting of this convention stimulus was found for action at home by the opponents of the President's policy. Inspired by Northern men preliminary local meetings were held and a state convention met in Raleigh in September which endorsed the proposed Fourteenth Amendment, censured the Worth administration, declared that only the unmistakably loyal should hold office in North Carolina, and nominated Alfred Dockery for governor. Holden addressed the body in favor of the congressional plan but still opposed negro suffrage. Here began, in fact but not in name, the republican party in North Carolina.

Dockery declined the nomination while expressing sympathy with the views of the convention, but Holden advised the opposition to vote for him regardless of his wishes. In a spiritless campaign in which the Fourteenth Amendment was the only important issue Worth was elected by a large majority.

Like its predecessor, the legislature was composed largely of old whigs. It displaced John Pool as United States senator-elect, because of his public declaration that he had sought and accepted office during the war only in order to injure the Confederate cause, and elected Judge M. E. Manly in his place. Holden now openly opposed the Fourteenth Amend-

Alfred Dockery



O. H. Dockery

ment as not sufficiently stringent against traitors and went to Washington to urge further action by Congress.

The committee, appointed to consider the amendment, reported with only one dissenting vote against ratification, on the ground that a large number of unrelated questions were submitted together, without any opportunity of choice between them, and that it was submitted in an unconstitutional manner since eleven Southern states were denied representation in Congress. The first section was opposed because it was so vague in regard to the "privileges and immunities of citizens of the United States" that the right of a state to regulate its own internal affairs might be destroyed. The objection to the second section was that it impaired the right of the individual states to regulate the suffrage and that it would be the pretext of constant intermeddling by the Federal courts in state affairs. The principle of the new basis of representation was attacked as was the penalty for restriction of the suffrage as inconsistent with the theory of the political system of the United States. The third section was opposed as an unfair attempt to punish a particular class of Southern men in whom the people had confidence. The fourth section was declared unnecessary and the fifth section was denounced as opening the way for unlimited congressional interference. Finally, the committee asked what guarantee the state had, even if the amendment was ratified, that nothing more would be required.

The report represented very fairly opinion in the state and it was adopted with two dissenting votes in the Senate and fifteen in the House. The resolution of rejection was then adopted with one dissenting vote in the Senate and ten in the House.

Immediately a number of the opposition went to Washington to join Holden and Pool who were in conference with the radical leaders. At the request of these North Carolinians, Thaddeus Stevens introduced on December 13th, a bill for the reconstruction of North Carolina which had been prepared by them, and which, after reciting the facts of secession, war, and presidential restoration in a biased fashion, and after calling attention to the duty of Congress to preserve a republican form of government, provided that on May 20, 1867, a convention of loyal citizens of the "district formerly comprising the State of North Carolina" should meet in Raleigh to prepare a constitution which after ratification should be submitted to Congress for approval. All who could read or write or who owned $100 worth of real estate could vote and no person who had formerly had the right to vote could be disfranchised. An "iron-clad" oath which would have excluded all persons who had been loyal to the Confederate cause was provided for office-holders. This bill was referred and died in committee. The proposed oath was later offered by Stevens as a prerequisite for voting.

In the meantime the state administration was not idle. A commission was appointed to go to Washington to investigate the situation. At first hopeful they soon saw that Congress would win and with Governor Orr, of South Carolina, Governor Parsons, of Alabama, Governor Marvin, of Florida, Judge James of Arkansas, and some of the members of Congress, they prepared a compromise in the form of an amendment to replace the one already proposed. It added a section declaring the Union perpetual, dropped the one imposing disabilities, retained the connection of apportionment of representation and suffrage, and limited the power of the states to impose property and intelligence qualifications. A part of the plan was an amendment to each state constitution, extending the franchise.

The plan excited no enthusiasm in North Carolina. It probably would have passed but for the feeling that it was impossible to do anything but save self-respect. A bill calling a constitutional convention was passed but lacked the required majority. A resolution proposing a national constitutional convention passed with opposition from the extreme radicals. The debates were stormy, and while the radicals were in a minority they could cause infinite trouble. They had traveled rapidly an interesting but circuitous path. First the supporters of the President, they had lauded him to the skies, praised his policy, and denounced the radicals in Congress. They had bitterly opposed, not only negro suffrage but every attempt to recognize the citizenship of the negro, and to give him ordinary civil rights, such as the right to sue in the courts or even to allow him to testify in his own behalf. Ousted from control of state affairs, they had held the ear of the President for a time, but had finally come to oppose him and all he stood for and to favor Congress and finally to accept the Fourteenth Amendment. They now took the last step. On December 26, 1866, Holden wrote the Albany *Evening Journal,* taking strong ground for negro suffrage and saying, in conclusion, "The rebel leaders, who are controlling these States, are totally regardless of political duty, and totally bent on mischief. You must govern them, or they will at last again govern you." And on January 1, 1867, at a meeting of the negroes in the African Church in Raleigh, he declared himself in favor of unqualified negro suffrage, and introduced a resolution requesting Congress to reorganize the state government on the basis of "loyal white and black suffrage." For the future, or as long as he was in political life, he promoted negro suffrage as violently as he had opposed it in the past. He at once commenced the preparation of petitions to Congress praying that negro suffrage might be established, and circulated them among both black and white.

Beginning now, with the new year, there followed a campaign based, as similar ones before, on the supposed alarming conditions in the state. The life and property of all Union men were declared in extreme danger, unless Congress should interfere at once in their behalf. Those conducting the campaign hinted at severe measures, and Holden said that he regretted that the property of about five hundred persons in each state had not been confiscated, and that eight or ten of the leaders in each state had not been executed. Later he said that confiscation was a possibility, and even a probability. Already many of his followers were demanding it in the hope that they would profit thereby.

The whole state was excited and uneasy. Doubt as to the outcome of the struggle between the President and Congress had almost entirely disappeared, and the only question was how far Congress would go in the destruction of the institutions of the Southern state. In the West, A. H. Jones was leading in an effort to secure from Congress the division of the state, so that the Union men of that section could protect themselves from the ''rebels'' of the East. In this turmoil and excitement, the news came of the passage of the reconstruction acts and the establishment of the military government.

CHAPTER VI

CONGRESSIONAL RECONSTRUCTION

The experiment, if it be so called, of restoration on the plan laid down by the President, lacked, from the standpoint of the individual states concerned, but one thing to be successful. Within these states the various departments of government, when free from outside interference, exercised their normal functions apparently in the manner prescribed by law and custom. But the relations of these states to the United States were abnormal by reason of the refusal of Congress to receive their representatives. Recognition of the existing state governments by the legislative branch of the general government was utterly lacking.

There were many things which, united, caused the existence of this condition of affairs. Congress, before the close of hostilities, had clearly shown and expressed the opinion that the matter of the reconstruction of the seceded states was a problem the solution of which properly belonged to Congress. The reason of this, beyond jealousy for the prerogatives of the legislative branch of the Government, encroached upon by the executive branch during the war, was largely the difference which appeared between the view of the results of the war held by the majority of the members and that held by the President, particularly as related to the status of the seceded states and the treatment of the freedmen. This difference increased after the death of President Lincoln and the succession of President Johnson. A combination of sentimentalism and of solicitude for the future welfare of the republican party caused the radical element of that party to demand that the suffrage should be extended to the lately emancipated slaves. This demand formed a basis of opposition to the President. At first the many differences of opinion in the party and a desire to avoid an open rupture with the President made a policy of waiting advisable, if not actually necessary. In this period of delay a consolidation of opinion took place which enabled the radicals to cope with the President successfully when the occasion arose.

In pursuance of this policy of delay, a resolution was passed providing for a joint committee of both houses on the condition of the states lately in insurrection. The committee was chosen, and to it were referred all matters relating to the states in question. When, at the opening of Congress, the delegations from the Southern states presented themselves, as has been seen, no action was taken at first, and finally a resolution, introduced by Thaddeus Stevens, was passed by both houses, forbidding the admission of members from any of the eleven Southern states until Congress should formally have declared such a state entitled to representation. During the period which elapsed before the Reconstruction committee reported finally, many individual bills were reported by it and considered in Congress. Through this discussion the policy of Congress was finally outlined and developed. In the meantime, an investigation was being made by the committee of the condition of affairs in the South.

Prior to this, investigations into Southern conditions had already been made. General Grant in November, 1865, after visiting Virginia, the Carolinas, and Georgia, submitted to the President a most favorable report upon the conditions existent and the feeling of the people. Slavery and the right of secession he said were accepted in good faith as matters of the past and he thought the people ready to do anything honorable in order to return to self-government in the Union. B. C. Truman and Carl Schurz also made tours of investigation but neither reached North Carolina. Truman's views coincided with those of General Grant while Schurz, who really came South to verify a set of preconceived and ironclad ideas and to gather radical material, was able to his own satisfaction to accomplish both objects.

The radicals were not content with these reports, none of which, not even that of Schurz, contained the sort of information they desired as an indictment of the South and the presidential policy. Sub-committees of the Reconstruction committee were appointed to take evidence, witnesses being summoned from every Southern state. Twelve witnesses were examined for North Carolina. Only one of these was a native though two others had lived in the state prior to the war. Eight had been officers in the Union army and six of these were bureau agents. The other was a Northern war correspondent. Most of the testimony painted a dark picture of conditions, agreeing as to the widespread hostility to the freedmen, the United States Government, and all Northern men. The testimony of Maj. H. C. Lawrence, a republican and an agent of the bureau, was in complete opposition to this and he gave the people a hearty endorsement. Such was the general character of the testimony. It had little or no effect upon the committee or upon their conclusions, nor indeed was it intended to have.

The committee made its report in June, 1866. The majority report declared that the seceded states at the close of hostilities had been in a state of complete anarchy, without governments or the power to form them except by permission of the victors. The plan of restoration adopted by the President was approved as a temporary military expedient for preserving order. The President's recommendation to Congress that these states should be admitted to representation was declared to have been based on incomplete evidence. When he made it, he had not withdrawn the military forces or restored the privilege of the writ of habeas corpus, and he still exercised over the people of these states military power and jurisdiction. Moreover, the report alleged, in all the seceded states, except perhaps Arkansas and Tennessee, the elections for state officers and members of Congress "had resulted almost universally in the defeat of candidates who had been true to the Union, and in the election of notorious and unpardoned rebels who could not take the prescribed oath and made no secret of their hostility to the Government and people of the United States."

From the evidence which it had secured, the committee was convinced that devotion to the Confederacy and its leaders was still existent, and republican government endangered by a "spirit of oligarchy" based on slavery. The final opinion of the committee was that the states lately in rebellion had become, through war, disorganized communities; that Congress could not be expected to recognize as valid the election of representatives from these communities, nor would it be justified in admitting the respective communities to participation in government "without first providing such constitutional or other guarantees as will tend to secure the civil rights of all citizens of the republic; a just apportionment of representation; protection against claims founded in rebellion and crime; a temporary restoration of the right of suffrage to those who have not actively participated in the efforts to destroy the Union and overthrow the government, and the exclusion from positions of public trust of at least a portion of those whose crimes have proved them to be enemies of the Union and unworthy of public confidence."

As has been seen, the Fourteenth Amendment was decisively rejected by North Carolina. It met the same fate in all the other Southern states except Tennessee and when Congress met it was evident that with the refusal of ratification as a pretext some more radical plan would be tried. By February, 1867, it had become a determined fact that the state governments, as organized by the President, should be superseded by others organized under military authority; that the political leaders of the Southern states should be disqualified from taking part in the reorganization of the governments; and that the right of suffrage should be extended to the negro by national legislation, in utter defiance of the constitutional right of the individual states in the matter. In pursuance of this determination, the act of March 2, 1867, "to provide for a more efficient government of the rebel States" was passed. It was vetoed by the President, but was passed over the veto on the same day. Declaring in the preamble that no legal state governments or adequate protection for life or property existed in the ten "rebel" states, the act provided that these states should be divided into five military districts, each under an officer of the army of not lower rank than brigadier-general, and made subject to the military authority of the United States. North Carolina and South Carolina formed the second district. The commander of each district was required to protect all persons in their rights and to suppress insurrection, disorder, and violence. In the punishment of offenders, he was authorized to allow the civil tribunals to take jurisdiction, or if he deemed it necessary, to organize military commissions for the purpose. All interference with such tribunals by the state authorities was declared void and of no effect. It was further provided that the people of any of the said states should be entitled to representation whenever they should have framed and ratified a constitution in conformity with the Constitution of the United States. This constitution must be framed by a convention elected by the male citizens of the state, regardless of race, color, or previous condition, with the exception of those disfranchised for participation in rebellion or for felony. Those persons on whom disabilities would be imposed by the proposed Fourteenth Amendment were disqualified from holding a seat in the convention and from voting for delegates. The constitution thus framed, and containing the provision that all persons whom the act of Congress made electors should retain the electoral franchise, must then be approved by Congress. Whenever representatives should be admitted, the portion of the act establishing military governments would become inoperative so far as concerned the state in question. Until the completion of this reconstruction, the existing civil governments were declared provisional and liable at any time to modification or abolition.

On March 23d, a supplementary act was passed. The original act left the whole matter of the initiation of reconstruction very indefinite. The supplementary act provided that the district commanders should cause a registration to be made of all male citizens who could take a required oath as to their qualifications as electors. The election of delegates to a convention should then be held by the commanders. For the sake of giving at least an appearance of following the will of the people, the act provided that the question of holding the convention should be submitted to them at the same time. Unless a majority of the registered voters took part in the election and a majority in favor of holding the convention resulted, no convention should be held. Provision was made for boards of election composed only of those who could take the "iron-clad" oath. Finally it was provided that a majority of those registered must take part in the voting on the ratification of the constitution in order to make it valid. This act was also vetoed by President Johnson and promptly repassed by the required majorities.

In July, Congress met again. In the meantime Attorney-General Stanbery had sent to the President an interpretation of the act, which closely restricted the power of the military commanders. At once another supplementary act was passed, as an authoritative interpretation of the former acts. It gave the commanders full power to make any removals from office that they might see fit, and authorized the boards of registration to go behind the oath of an applicant for registration whenever it seemed to them necessary. District commanders, the boards of registration, and all officers acting under either were relieved from the necessity of acting in accordance with the opinion of any civil officer of the United States. The executive and judicial officers referred to in the imposition of disabilities were declared to include the holders of all civil offices created by law for the administration of justice or for the administration of any general law of a state. An extension of time for registration was authorized, and also a revision of the lists of registered voters before the election. This act, as was now the customary thing, had to be passed over the President's veto.

Such was the most important legislation enacted for the restoration of the South. Questions of precedent and of constitutional law were alike disregarded in their passage, and justification found for all. A discussion of their constitutionality, however, is not a part of this study. It is sufficient to say that the laws were effective.

Within the state the debates in Congress caused the utmost dismay. Acting under the authority of the council of state, Governor Worth sought to find a way of testing the constitutionality of the reconstruction acts. Judge Ruffin and Judge Benjamin R. Curtis of Massachusetts, however, advised against the plan as useless and, deciding against the plan, the governor and council finally urged the people to register, send as good men as possible to the convention, and decide later if the resulting constitution should be ratified or rejected.

The first reconstruction act was at once declared in force in North Carolina and General Daniel E. Sickles was assigned to command of the second district with headquarters in South Carolina. He was not unknown in the state, for he had been in command of the department of which North Carolina formed a part, and had been rather popular than otherwise. Consequently his assignment was received with as much satisfaction as could be expected under the circumstances. As a matter of fact, opposition to the enforcement of the reconstruction act was apparently dead. It had been violent until

General Daniel E. Sickles

the passage of the act, and then there seemed to be a general acquiescence if not agreement. But it was only resignation. No one can believe that anything approaching a majority of the white people of the state favored the destruction of the existing state government. But power to resist was lacking, and apathy succeeded protestation. The supplementary act was really received with joy by the conservative element. This feeling was caused by the effect it had upon the plans of the radicals in the state. Immediately after the passage of the first reconstruction act, the "loyal" members of the legislature, which was then in session, acting under the influence of Holden, issued a call for a meeting of "loyal" citizens to devise a plan for calling a convention of the people. The primary meeting was held and a committee appointed to devise and carry out a plan for organization. By comparison with what this meant, military government seemed to the conservatives far preferable.

General Sickles immediately upon assuming command issued an order declaring the civil government provisional and continuing it with full authority. He asked the co-operation and assistance of all and evidently desired as little change as possible. General criminal jurisdiction for example remained with the civil courts. He and Governor Worth were in constant conference and his policy was greatly influenced thereby.

In April, General Sickles, largely guided by conditions in South Carolina, issued his famous "General Order, No. 10," which prohibited impressment for debt unless accompanied by fraud and which forbade the enforcement of judgments and executions on causes of action arising after secession and prior to the end of the war, and which stayed for a year those arising prior to secession. A homestead exemption of $500 was provided and wages for labor were made a lien upon crops. Corporal punishment was forbidden. The order accomplished some good and probably more evil and led in time to an absurd state of affairs which will be described later. While his power of removal was but little employed, General Sickles kept a very close supervision over the actions of civil officers and by general orders greatly modified existing laws. For instance, the distillation of grain was forbidden, license to sell liquor was restricted, and discrimination between the races in public conveyances was prohibited. As an inevitable result, interference with the state courts followed, taking the form first of orders that negroes be allowed to serve on the juries, which was quietly acquiesced in by the judges, but extending later to serious interference with the action of the courts. In several cases military officers interfered to free notorious criminals from punishment and even to alter court records. Finally, Judge Merrimon resigned. Later on, during General Canby's administration, the same methods still being followed, Judge Fowle resigned.

Nor were state courts alone liable to military interference. In June, 1867, the first session of the Circuit Court of the United States to be held in the South since the close of the war was opened at Raleigh, with Chief Justice Chase presiding. In opening the court the chief justice said that while military authority was still exercised, it was not in its power to control the judicial authority, state or national. The military commander held a different view. When the marshal attempted to sell under execution some property in Wilmington to satisfy a debt owed outside the state, the post commander, acting under the authority of General Order No. 10, stopped the sale and was sustained by General Sickles. The matter was referred to the President who sustained the court and suspended General Sickles's order so far as it applied to proceedings of the Federal courts. This left a strange situation of affairs in which a foreign creditor could obtain relief denied to creditors within the state. General Sickles protested in an insubordinate letter and the attorney-general had taken steps for his criminal indictment when on August 26th, the President removed him and assigned General E. R. S. Canby to succeed him.

The administration of General Sickles was as popular in the state as such a military administration could have been. He showed, it is true, complete contempt for constitutional and legal restrictions, but he was strongly desirous of bettering economic conditions and was ready to take advice from those in whom the majority of white people had confidence, and he frequently and voluntarily bore witness in favor of the state. He believed in general amnesty, was in sympathy with the disfranchised and thus won the enmity of the radical leaders whom he had uniformly ignored.

General Canby's assumption of command brought at first few changes in policy. Later his administration was characterized by more frequent and greater interference with civil affairs. The courts were practically overthrown and crime increased to such an alarming extent that in April, 1868, a provost court with jurisdiction over almost half the state was established in Raleigh. His removals from office also caused criticism. The military force in the state during the whole period was small, less than a thousand men being distributed among ten posts.

During the administration of General Sickles, the order for a general registration was published with the provision that it should begin in July. At once the work of organizing the registration boards for the nearly two hundred districts began. To the great disgust of the radicals, Governor Worth was asked to recommend suitable persons for the positions. Only those who could take the iron-clad oath could serve and as few native whites could take it, he had to find the men from former Union soldiers for the majority of the places. A few negroes were recommended, but none from the Union League which was already winning an unwholesome reputation. General Nelson A. Miles had already ordered bureau agents to select one colored member, a native white, and an army officer or bureau agent for each election district.

Everything was ready when General Sickles, thinking it best to wait for Congress to decide who could vote, and, with his usual regard for the welfare of the people, wishing the crops to be laid by, postponed indefinitely the beginning of registration. But on August 1st, the rules were published and post commanders given full supervision of their districts. A little later Sickles was removed, but under Canby the work was carried to a conclusion. Finally, on October 18th, he declared registration completed, and issued the order for an election to be held on November 19th and 20th. The usual regulations for the conduct of an election were made. Sheriffs and other peace officers were ordered to be in attendance;

soldiers were forbidden to approach the polls except as qualified voters; all saloons were ordered to be closed, and members of the boards of registration, who were also candidates for the convention, were forbidden to serve as judges of election in their respective counties. The "iron-clad" oath was required, which excluded most native whites from service as election officials.

In the latter part of October, the decisions of the general board of rules and regulations in regard to grounds of challenge were revised. The circular shows the interpretation of General Canby as to disqualification for registration. The decision of General Sickles that, in case entering the service of the Confederacy or giving aid and comfort to its adherents had been involuntary, no disqualification existed, had already been published. Under the interpretation of General Canby the holding of only certain specified offices prior to the war constituted a disqualification. Among them were the following: sheriff, county clerk, member of the legislature, justice of the peace, school commissioner, tax collector, constable, postmaster, and marshal. But no disqualification was caused by having held any of the following positions: deputy sheriff, deputy marshal, assistant postmaster, clerk of the state senate, keeper of a lighthouse, or notary public.

As to the question of what constituted aid to the Confederacy, it was held, among other things, that investment in Confederate bonds, collecting supplies for the Confederacy, making speeches in support of the war, and holding a mail contract or any civil or military office were acts that carried disqualification. But making charitable contributions or being a candidate for office did not constitute aid and comfort in the disqualifying sense. Hiring out horses to the Confederacy was disloyalty, but hiring them to Confederate soldiers was not.

The result of the registration was as follows:

Whites	106,721
Blacks	72,932
Total	179,653

Nineteen counties had negro majorities, and in several others the white majority was less than a hundred. No definite idea can be formed of the number disqualified on account of disabilities imposed by the reconstruction acts. The registration of 1868, when the disabilities did not have the effect of disfranchisement, showed a gain of 17,220. But many who were qualified did not register in 1867 and did so in 1868.

Many accusations of fraud were made but there were no open outbreaks of disorder. Many negroes not of age registered, and in many cases qualified white men were denied. But on the whole the registration was as fair as it was ever intended to be or as it could be under the system employed.

As regards the qualification of the new electorate for the exercise of the franchise, the primary fact naturally was the dense ignorance among the negroes. Many of them, moreover, were vicious and idle, but probably not in so great a proportion as during the years immediately following. Certainly they were not so vicious. From the nature of things, also, they were able to bear a very small part of the burdens of citizenship and paid a very small part of the taxes.

During this period bitterness increased and conditions grew steadily worse. The workings of the reconstruction acts made them increasingly unpopular. Canby's name became associated in the minds of many with the conditions which prevailed and is execrated to this day. He was personally disliked also by those with whom he came in contact, not a large number, however, since he did not enter North Carolina until January, 1868.

On March 27, 1867, in response to a call issued by a committee appointed by the minority members of the legislature, a convention assembled in Raleigh composed of delegates, black as well as white, from fifty-six counties. In origin and membership it represented the opposition to the Worth administration in the state and that of President Johnson in the United States. Upon their assembling Robert P. Dick proposed that they proceed to the organization of the republican party in North Carolina. This was the declared intention of many present and excited no surprise but met instant and vehement opposition from Daniel R. Goodloe, the only native present clear of any adherence to the Confederacy, an abolitionist and a republican since the founding of the party, and from B. S. Hedrick, both of whom deplored the certain loss of support of many desirable citizens who would not join the republican party. But such arguments were unavailing and the name was adopted. The meeting was chiefly notable for the prominence accorded the colored delegates and the manifest delight of the white delegates at their presence. So marked was this that it was clear that the "loyal" white people were willing to unite with the negroes on terms of absolute equality. Resolutions were adopted accepting republican doctrine and calling a state convention of the party.

As was to be expected, the convention received its full share of abuse. Its members were given titles that were hardly relished by them, such as "Holdenites" and "Holden miscegenationists." The claim of the newly-organized party to a monopoly of loyalty seemed worse than absurd to the conservatives, and the leaders of the party were all distrusted by their opponents on account of their former records. Nor was the name of the party more popular in North Carolina than in the other Southern states. In this expressed dislike of the republican party, the former whigs were leaders. The democrats, who had formerly been most bitterly hostile to the party, were not at all prominent in political affairs just now. As has been seen, the state administration was in the hands of former whigs who had opposed secession until the call for troops, and some, like Jonathan Worth and Josiah Turner, until the passage of the secession ordinance. Those who had originally favored secession were in almost every instance in political retirement. With most of them this retirement was voluntary. They were fully conscious of defeat and ready to accept the decision and final settlement of the questions involved in the late struggle, and they did not care at this time to take any active part in politics. Most of them were convinced that things were in general out of joint, and their most acute sensation was one of regret at the failure of the Confederate cause. To arouse them from this condition of mind, a change of conditions was necessary. This was accomplished by the enforcement of the reconstruction acts. In 1865 and later, the democratic party seemed dead forever in North Carolina, but the organization of the republican party in the state under the leadership of W. W. Holden, R. P. Dick, and Thomas Settle, three former democrats, and the first-mentioned the father of the secession movement in North Carolina, began its resuscitation.

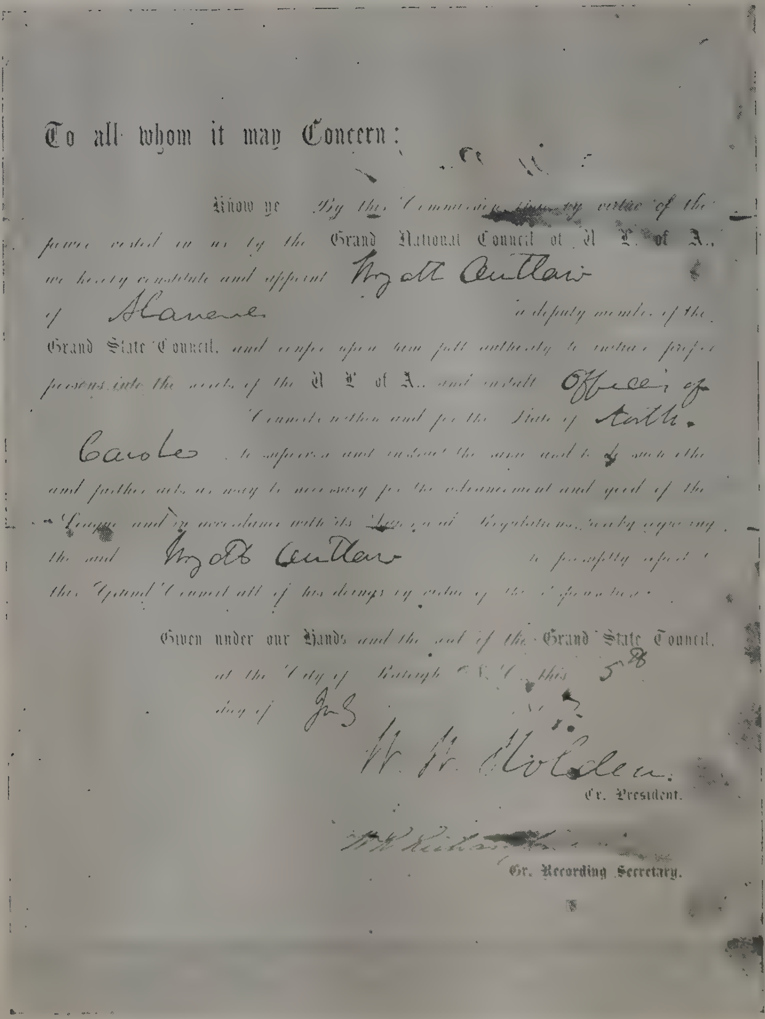
There were immediate manifestations of feeling directed against the leaders of the new party, particularly against Holden who retaliated with threats of sweeping confiscation, a policy to which he was now inclined. But there was no organized opposition as yet and no prospect of any important opposition to the reconstruction acts.

The organization of the republican party was carried out in every county. Prominent Northern republicans came South to assist in this. Secret political societies were the chief agency, the Heroes of America among the whites and the Union League among the negroes. This latter body made every attempt to divide the negro vote a complete failure. A word as to its nature will explain this.

Organized in the North in 1862, it spread widely, and when it became evident that the negroes in the South would be enfranchised, the organization was immediately extended among them, chiefly by bureau agents and other politically ambitious Northern men who saw that something must be done to control the ignorant negroes, to bind them to their benefactors by something which would appeal to their pride and to their emotions. The league was admirably adapted for this. Through the effect of its ritual and methods upon the ignorant and emotional negro and through the discipline of its organization, it furnished an ideal instrument. It was for this reason the chosen agency of the carpet-baggers to carry out the political work begun by the bureau and it thus became the second handmaid of radicalism in the reconstruction of the state. Introduced by carpet-baggers, it was, for the entire period of its existence in North Carolina, controlled by them, chiefly for their own aggrandizement, and for that reason alone would have won the undying hatred of the native white population. In its development, however, it gave additional and abundant evidence of its entire unworthiness, and its very name has remained a symbol of all that was evil in Reconstruction.

Beginning in 1866, by April, 1867, the state was organized and almost every negro who could vote was a member. Those who would not join were not only exposed to ostracism but also in most cases to violence as well. Although there was nothing in the rules or ritual of the league which was objectionable, the meetings, under the influence of evil and designing leaders became the hot-beds of violence and crime. Labor was disbanded by it, larceny, assault, riot, arson, murder, ~~and rape~~ were the products of the society and it thus became associated in the minds of the whole people with all that was evil and the Ku Klux movement was the logical result. Politically speaking, the league was temporarily successful. It organized the negroes and bound them to the republican party, lifted the carpet-baggers into positions of profit and apparently stifled opposition. Never was a political plan carried out with greater temporary success, for never were the members of a political organization so unfitted through ignorance for the privilege of suffrage, and therefore, unmoved by argument, they were as easily handled as so many sheep. But it furnished a basis of opposition for the white people and out of the league to a large extent grew the Solid South. During the existence of the republican régime, the members of the league were practically immune from punishment by the courts. Finally counter organization followed, equally beyond the law but intended to preserve public order. A retaliation so violent, and a retribution so swift came that in a very short time after the appearance of the Ku Klux, the activities of the league became beautifully less, and it vanished altogether by the end of 1870.

In the summer a cleavage among the republicans appeared. The radical element wanted confiscation and the proscription of political opponents. Holden was a representative of this sentiment which was preached to the negroes. D. R. Goodloe, now an editor, led the opposing faction. When the convention met in September, the question came up. It met with so much favor, particularly among the negroes, that the matter was left unsettled by the convention for congressional action.



To all whom it may Concern:

Know ye, By this Commission and by virtue of the power vested in us by the Grand National Council of U. L. of A., we hereby constitute and appoint Wyatt Outlaw of Alamance a deputy member of the Grand State Council, and confer upon him full authority to initiate proper persons into the secrets of the U. L. of A., and install Officers of Councils within and for the State of North Carolina to supervise and instruct the same and to do such other and further acts as may be necessary for the advancement and good of the League and in accordance with its Laws and Regulations, hereby requiring the said Wyatt Outlaw to promptly report to this Grand Council all of his doings by virtue of this Commission.

Given under our Hands and the Seal of the Grand State Council, at the City of Raleigh N. C., this 5th day of Jy

W. W. Holden.
Gr. President.

Gr. Recording Secretary.

UNION LEAGUE COMMISSION TO WYATT OUTLAW, SIGNED BY WILLIAM W. HOLDEN

Outlaw was later hanged by the Ku Klux

The convention declined to pass any resolution favorable to amnesty. This was partly due to bitterness and partly due to the belief that their own chances of political preferment would be greater if the old leaders were disqualified. As a matter of fact, in respect both to confiscation and amnesty, the convention was more radically proscriptive than those it was supposed to represent.

The opposition,—the mass of the white people who assumed the name conservative,—were at sea as to policy. Some wanted to attempt a division of the negro vote, but that proved unpopular and it was finally decided to make a stand against negro suffrage and to deny the constitutionality of the reconstruction acts. This decision was largely due to the advice of William A. Graham. A call had been issued for a state convention and it had assembled in September. Beyond denouncing the republican convention, it did nothing. Most of the conservatives were opposed to organization and too discouraged to accomplish anything. But another meeting was called and Graham wrote a letter advising the conservatives to vote against a convention and urging that no recognition be given negro suffrage. No formal action was taken but the future position of the party in respect to the negro was settled, and it became in fact, if not always in name, a white man's party. But in the campaign the conservatives were listless and dispirited and without organization. The election was held on November 19th and 20th. The results were:

Registered voters	179,653
Votes cast	125,967
For convention	93,006
Against convention	32,961
Not voting	53,686

On the call of General Canby the convention met in Raleigh on January 14, 1868. The republicans had a majority of 94, the conservatives having elected 13 delegates. Of the 107 republicans, at least 18 were carpet-baggers and 15 were negroes. Many of the carpet-baggers, or "squatters," as they were called in North Carolina, had formerly been officers in the Union army. The more prominent of them were General

Joseph C. Abbott, a native of New Hampshire and formerly an editor and lawyer; Lieutenant Albion W. Tourgee, a native of Ohio, a graduate of Rochester University, and a former officer of the One Hundred and Fifth Ohio Volunteers; General Byron Laflin, a native of Massachusetts, formerly colonel of the Thirty-Fourth New York Infantry, and Major H. L. Grant, of the Sixth Connecticut Volunteers, and a native of Rhode Island. Of the other carpet-baggers, David Heaton had been a special agent of the treasury department and had settled in New Bern; S. S. Ashley was a native of Massachusetts and a minister, little else being known of his past history; John R. French was a native of New Hampshire who had been a newspaper editor and twice a member of the Ohio House of Representatives. He had come to North Carolina as a direct tax commissioner.

Of the white native North Carolinians in the convention, none had been previously of any prominence in the state, few being known at all outside their own counties. W. B. Rodman had been known as an able lawyer and as an earnest advocate of secession. He, with Calvin J. Cowles and J. M. Turner, was disfranchised under the reconstruction acts, but the fact that they were radicals prevented any action being taken to unseat them.

Several of the colored delegates were, comparatively speaking, men of considerable ability. James H. Harris was an orator of great power and had a fair education. With J. W. Hood and A. H. Galloway, he shared the leadership of the colored members.

None of the conservatives were men of political prominence. The two who at once took the most prominent part in the debates of the convention were Captain Plato Durham, and Major John W. Graham, both Confederate soldiers and men of education.

Temporary organization was effected the first day. The next day permanent organization was completed by the election of officers. Calvin J. Cowles, Holden's son-in-law, was elected president although he was under disabilities and thus not a registered voter and so ineligible to membership. Cowles was a man of unimpeachable honesty but of only fair ability, who was entirely under the influence of Holden and the carpet-baggers. Two conservative delegates who were accused of being under disabilities, although declared elected by Canby, were unseated without notice.

Naturally, the convention was the object of scorn and derision on the part of the conservatives who dubbed it "the Convention (so-called)." A heated quarrel occurred over the practice of the conservative newspapers of placing the word "negro" after the names of the colored delegates and several reporters were excluded from the hall.

By comparison with previous public assemblies in North Carolina this convention was extravagant, the per diem being fixed at $8 with 20 cents mileage. As attendance was lax additional ground of criticism was furnished. In mileage accounts there were numerous flagrant instances of fraud as well as in the purchase of supplies and yet by comparison with a number of the Southern states, North Carolina in this respect escaped lightly, the expenses of the convention, including everything, being only a little more than $100,000.

Notwithstanding the fact that the main purpose of the convention was to frame a constitution, no great interest was manifested in the subject. Committees were appointed, the carpet-baggers capturing the chairmanship of ten of the nineteen standing and of most of the special committees. This gave them the opportunity to put many of their theories into form. Individually or collectively, they controlled the convention. With this fact in mind, it is a cause for wonder that more changes were not made in the fundamental law. The explanation seems to lie in the rivalry of the three carpetbag leaders, Abbott, Heaton and Tourgee, who in their efforts to gain personal strength yielded in many things to the native whites.

One of the first constitutional matters to come up was the judicial article. The distinction between actions at law and suits in equity was abolished in spite of solid conservative and even some republican opposition. Provision was made for the adoption of a code of civil procedure and practice and a commission was appointed to prepare it. It consisted of W. B. Rodman, V. C. Barringer, and A. W. Tourgee. Rodman and Barringer were well qualified for the position but Tourgee although he had studied law in Ohio was ''innocent of law'' and was admitted to the bar as a ''twenty dollar lawyer'' by grace of an ordinance passed for his benefit.

Another change in the judicial article, even more criticized was placing the election of judges in the hands of the people and replacing the term of good behavior by a term of eight years. The Supreme Court was recognized by the constitution and the justices were increased from three to five. The number of Superior Court judges was increased to twelve, a very necessary change as the courts were crowded and emancipation had largely increased their burdens.

The question of political disabilities naturally arose early. Two phases of the matter were considered. A committee was appointed to prepare a list of such persons laboring under those imposed by the Fourteenth Amendment as should be recommended by the convention for congressional relief. The names of about six hundred, practically all republicans, were presented and a violent debate followed in which it became apparent that while some republicans favored general amnesty, the majority wanted nothing of the sort. The list was of course adopted.

The other phase was in relation to the qualifications for voting and holding state office which should be inserted in the new constitution. The majority favored unqualified manhood suffrage with disbelief in a Supreme Being, or conviction of a felony, as the only disqualifications for holding office. Three minority views appeared. One desired disqualification for suffrage and office-holding of all who had ever, by any means, attempted to prevent the exercise of the right to vote, of those disqualified by the Fourteenth Amendment, and of those who could not take a somewhat rigid preliminary oath. The second was that of the conservatives who denied that the right to vote was inherent, and contended that since the negroes were not prepared for it, it should not be extended to them. A third wanted the disabilities of the Fourteenth Amendment added to the majority report. The debate, by far the bitterest in the convention, lasted for three weeks in which the most radical views and desires on the subject were expressed. The conservatives warned the convention that if disabilities for voting were imposed there would follow the necessity of permanent military occupation of the state by the United States. The convention, as a threat, at once repealed the amnesty act of 1866 but adopted the majority report.

The conservatives were bent upon putting the republicans on record as concerned the division of the races, foreseeing the future importance of that issue, and they, therefore, sought to have inserted in the constitution provisions for separate schools, separation of the races in the militia, and the prohibition of intermarriage and the apprenticing of white children to colored masters. All were rejected by the majority, most of whom secretly agreed but did not dare to come out openly for political reasons. The constitution was finally drafted and adopted. The conservatives voted solidly against it, and none of them signed it.

Other matters than the constitution engaged the attention of the convention. Fourteen divorces were granted, the state was redistricted for Congress, with much factional quarreling among those who had congressional aspirations, a committee was appointed to devise some plan to settle every citizen upon a freehold, and a resolution was passed thanking the House of Representatives for the impeachment of President Johnson. Ordinances relating to the payment of interest on certain state bonds and railroad matters were passed and the rumor was general that their passage was secured by a group of lobbyists who would profit largely thereby. The lobby was there undoubtedly, led by General Milton S. Littlefield, of New York, a man of great personal charm and attraction, already wealthy from a lumber steal in Pennsylvania and destined to be better and more unfavorably known in North Carolina within the next two years.

After providing for the submission of the constitution to the people and the election of state officers, members of the legislature, and members of Congress under the supervision of the military authorities, the convention adjourned on March 17th, in the midst of an uproar horrifying to the conservative element in the state. The *Sentinel* headed its account of the proceedings as follows:

The Constitutional Convention (So-Called) .

The Disgraceful Closing Scenes! Corn Field Dance and Ethiopian Minstrelsy!! Ham Radicalism in its Glory!!!

The new constitution varied widely from the former one. In the Bill of Rights, the original of which had been adopted in 1776, there was less change than in any other part of the fundamental law. But quite a number of provisions were inserted. The chief of these were as follows: all men were declared equal; the right of secession was denied, and the paramount allegiance of all citizens to the United States was affirmed; the public debt of the state was declared valid, and the war debt was repudiated; slavery was prohibited; the suspension of the writ of habeas corpus was forbidden; the people were declared entitled to the privilege of education; the legislative, executive, and judicial departments of government were declared forever separate and distinct; the freedom of the press was guaranteed, as in the former Bill of Rights, but individuals were held responsible for abuse of this freedom; the quartering of soldiers upon citizens in time of peace was forbidden; it was provided that the courts should always be open, and in criminal cases greater protection was guaranteed defendants than in the original instrument, though not more than was enjoyed under the law of the state and the usage of the courts; and finally it was declared that all rights and powers not delegated by the constitution should be retained by the people.

In the legislative department greater changes were made. The name of the lower house of the General Assembly was changed from the House of Commons to the House of Representatives. The property qualifications for members of both houses were abolished, and they were obliged to take an oath of allegiance to the United States before taking their seats. Senators were required to be at least thirty years of age. The elective council of state was abolished and replaced by one composed of the executive officers of the state.

In the executive department three new offices were created:

lieutenant-governor, superintendent of public works, and auditor. The latter replaced the office of comptroller which had been created by act of the General Assembly. The election of these officers, with that of the other state officers, which had formerly been in the hands of the General Assembly, was put into the hands of the people. The property qualification for governor was abolished, and his term of office, together with that of the other state officers, was increased from two to four years. Only two years' previous residence in the state, instead of five, was required for the governor. He was given power to commute sentences in addition to the pardoning power. All nominations of the governor had to be confirmed by the Senate. Provision was made for a bureau of statistics, agriculture, and immigration.

In the judicial department, the most complete change was made. All distinctions between actions at law and suits in equity and the forms of such actions were abolished. Only one form of action, the civil suit, could be brought in the state. Feigned issues were abolished, and it was provided that the fact at issue should be tried by order of court before a jury. The county courts were abolished and a large part of their powers and duties were given to the clerks of the Superior courts. The number of the Supreme Court justices was increased from three to five, and that of the Superior Court judges from eight to twelve. Their election and also that of the solicitors was taken from the General Assembly and given to the people. The term of office of judges was changed from life or good behavior and made eight years. The election of clerks, sheriffs, and coroners was taken from the county courts and put in the hands of the people.

Regarding taxation, the constitution provided that the proceeds of the capitation tax should be applied to education and the support of the poor. Provision was made for the payment of the interest on the public debt and for the creation, after 1880, of a sinking fund for the payment of the principal. The General Assembly was prohibited from incurring any indebtedness until the bonds of the state should be at par, except to supply a casual deficiency or to suppress insurrection, unless there should be inserted in the same bill a provision for the levying of a special tax to pay the interest annually. The General Assembly was also forbidden to lend the credit of the state, except to railroads which were in the process of construction at the time of the ratification of the constitution or to those in which the state had a financial interest, unless the question was submitted to the direct vote of the people. It was also provided that every act levying a tax should state its object and the proceeds could be applied to no other purpose.

The constitution provided for universal suffrage. No one could register without taking an oath to support the Constitution of the United States, and every officer had to take an oath of allegiance to the United States. All persons who denied the being of Almighty God, who had been convicted of treason, perjury, or any other infamous crime since becoming citizens of the United States, or who had been convicted of corruption or malpractice in office and had not been legally restored to the rights of citizenship, were disqualified for holding office. Taking any part in a duel also disqualified for holding any office under the state.

County government was put in the hands of five commissioners in each county elected by the people to exercise a general supervision and control of county affairs. It was also provided that the people of each county should elect a treasurer and a register of deeds. The commissioners were directed to divide the counties into townships, and the people of each township were biennially to elect two justices of the peace. No counties or other municipal corporations could contract a debt without the consent of a majority of the voters, and all the counties were forbidden to pay any debt contracted to aid in rebellion.

The General Assembly was directed to provide a general system of public schools, and the executive officers of the state were formed into a board of education to succeed to all the powers and duties of the literary board. The state University was declared to be forever inseparable from the public school system, and the General Assembly was directed to establish, in connection with the University, departments of agriculture, mechanics, mining, and normal instruction.

Provision was made for a homestead exemption of $500, and it was provided that the real and personal property of a married woman should remain her separate estate and property, and in no way liable for the debts of her husband. These provisions were not new to the state, both having been incorporated in the law in 1866.

Punishments for crime were provided as follows: death, imprisonment, with or without hard labor, fines, removal from office, and disqualification to hold any office under the state. Four crimes were punishable by death: murder, arson, burglary, and rape. Provision was made for a penitentiary, and the General Assembly was directed to provide for the care of orphans, idiots, inebriates, deaf mutes, and the insane, and authorized to provide houses of refuge and correction for the punishment and instruction of certain classes of criminals, whenever it might seem necessary.

These were the more important changes. There were others of less interest and importance, but they are far too numerous to mention. A comparison of the two constitutions shows a very wide difference, and brings out very clearly the part played by the Northern members of the convention.

Early in January the conservative executive committee called a convention of the constitutional union party which met February 6th. The controlling element were former whigs but a large number of democrats were present. Here re-appeared in politics many who had been prominent before and during the war. An organization was perfected and a series of resolutions outlining party policy adopted. They declared devotion to the United States Constitution, protested against the reconstruction acts as a violation of it, and declared negro suffrage to be the great political issue of the state, registering their opposition to it while avowing their purpose to protect the negro in the enjoyment of civil rights and of such privileges as were not inconsistent with the welfare of both races. After endorsing the President and expressing their distrust of the "organization controlling Congress," they waived all former party feeling and prejudice and invited the people of the state to co-operate with the democratic party and elected delegates to the democratic national convention. Enthusiastic speeches were made, the most notable by Vance who urged activity and fearlessness of the result of opposition to the radicals, saying "When free speech, a free press and a free ballot are restored, the wrath and indignation of an outraged people will damn them forever. It will be better for them that a mill stone were hanged about their necks and that they were drowned in the depths of the sea." Later the committee nominated Vance for governor and upon his declining chose Thomas S. Ashe, a former member of the Confederate Congress who had been a senator-elect when the war ended. He was of course under disabilities as were most of the other nominees. Nearly all had been whigs.

The republicans met the same day and nominated Holden for governor with a full ticket upon which were three carpetbaggers. Both parties nominated Chief Justice Pearson, and Associate Justice E. G. Reade, and several nominations for Superior Court judges coincided.

When the congressional nominations came three carpetbaggers were chosen. One of them, J. T. Deweese, was defeated for the nomination by James H. Harris, the negro member of the convention from Wake County, who then sold the nomination to him for $1,000.

The campaign was conducted with great activity and enthusiasm. The Union League with Holden as president and James H. Harris as vice president, and the Heroes of America, were both brought into service. The republicans made their campaign largely on matters relating to the war which would rouse antagonism and bitter feeling. The conservatives made their fight on the question of ratifying the constitution with resulting negro equality and the loss of protection for person and property. They received unexpected allies in Daniel R. Goodloe and H. H. Helper, the former saying that because Holden's name was "a synonym for whatever is harsh, proscriptive, and hateful to nine-tenths of the whole people of the State," he could not support him, while Helper, attacking Holden, urged the election of Goodloe. The republicans lost others they might normally have counted on because of the radical changes in the constitution and their violent and proscriptive tendencies. Notable among these was B. F. Moore.

The first recorded Ku Klux notice in the state appeared in this campaign. It was:

"K. K. K.
Attention! First Hour! In the Mist!
At the Flash! Come. Come. Come!!!
Retribution is impatient! The grave yawns!
The sceptre bones rattle!
Let the doomed quake!"

The convention had provided for the submission of the question of ratification of the constitution to the voters qualified under the reconstruction acts. The state officers were to be chosen by the voters qualified under the new constitution, which meant manhood suffrage. But the voting on ratification of the constitution and the election of state and county officers took place at the same time, and, by order of General Canby, on the same ballot. By this piece of entirely unjustifiable partisan politics, which was entirely characteristic of reconstruction methods and morals, all who had been disfranchised by the reconstruction acts were prevented from voting, and the validity of the acts of the legislature thus elected is therefore open to question. A new registration had been made, and the number registered was increased considerably. The figures were:

Whites	117,428
Blacks	79,444
Total	196,872

The election was held on April 21st, 22d, and 23d, and resulted in a complete republican victory. The vote on the ratification of the constitution was:

For constitution	93,084
Against constitution	74,015
Not voting	29,773

The vote for governor was:

Holden	92,235
Ashe	73,594

The conservatives elected only one member of Congress, one judge, of those whom the republicans had not endorsed, and one solicitor. Of the eighty-nine counties, the republicans carried fifty-eight. It was conceded that the republicans polled almost their full strength. Thus it is seen that a large number of conservatives, qualified to vote, failed to do so. This was, in part, the result of the general belief, that, if the conservatives were successful, Congress would set aside the election, or refuse to remove the disabilities of those conservatives who were elected to office. And doubtless, such would have been the case.

Fraud was common all over the state. By an amendatory act of Congress, passed March 11, 1868, voting upon affidavit instead of registration, was authorized, and ten days was set as the period of required prior residence. This gave room for illegal voting, and, consequently, many voted in different counties on different days.

The constitution still needed the approval of Congress and in addition a majority of the newly-elected officers were under disabilities. When Canby announced that all officers installed prior to the formal restoration of the state would have to take the "iron-clad oath" there was consternation among the "loyal" and Congress was urged to help. Finally an act was passed approving the constitution and providing that representatives should be admitted as soon as the Fourteenth Amendment was ratified. But the admission was upon the express condition that the constitution should never be so changed as to deprive of the right to vote any citizen or class of citizens who were then entitled to suffrage. General Canby construed this act to remove the necessity of taking the test oath.

The same day the disabilities of nearly seven hundred persons in the state, chiefly republicans, were removed, and this made possible the organization of the state government. The act of Congress authorized the governor-elect to summon the legislature and Holden called it to meet July 1st. General Canby instructed the chief-justice-elect to take the oaths of office before a United States commissioner, and then to administer them to his associates and to the state officers. Chief Justice Pearson notified Governor Worth that he would administer the oaths to the governor on July 1st. The same day, Governor Worth was removed from office by a military order from General Canby. The oaths were administered to Governor Holden the next day, and Governor Worth surrendered the office with a dignified and telling protest which stung Holden to the quick.

Holden delivered his inaugural on July 4th. It consisted of a defense of the new constitution with a declaration that the government must be administered by its friends. He defended the carpet-baggers, declared his opposition to mixed schools, promised a development of public education, and guaranteed protection of the right to vote to the negroes, threatening confiscation and the use of force if any attempt was made to deprive them of it.

In the meantime, the legislature met and ratified the Fourteenth Amendment and elected John Pool and Joseph C. Abbott to the United States Senate. They, with all the members of the lower house, were admitted by July 20th. North Carolina was thus restored to her place in the Union and, legally, Reconstruction was at an end. But from a social and economic standpoint, or from an internal political standpoint, it now began.

CHAPTER VII

THE REPUBLICAN RÉGIME

The governor's inaugural address in its declaration of ostracism of those who had opposed reconstruction, its threat of force, and its eulogy of the carpet-baggers was indeed prophetic of the character of his administration. It was partisan, sustained by force, and controlled largely by corrupt and greedy aliens who skillfully played upon the gnawing and patent ambition of the governor.

After filling the offices in his disposal, mainly magistrates and other county positions, many of them with ignorant and even with criminal negroes, he proceeded to the organization of the militia which he regarded as essential to success. An act authorizing this had already been passed by the legislature in response to his demand. He had called attention to the fact that many people in the state did not acknowledge the validity of the state government, and announced that he proposed to overawe them. The bill was drawn by John Pool and was passed with difficulty since many republicans and all the conservatives were bitterly opposed to it. It provided for a maximum of nine regiments and a battery of artillery to be at the disposal of the governor. It was admirably adapted for the establishment of a military despotism and was intended for that, should the occasion arise. It was unconstitutional viewed from the standpoint of either the state or Federal Constitution and was in direct violation of a recent act of Congress. But Holden and his allies were entirely aware that their power could not endure longer than the first fair election and they deliberately planned terrorism and fraud. That the native North Carolinians were unaware of the inevitable result of such a policy shows how far removed they were from a normal mental grasp of existing conditions.

If the carpet-baggers knew, they cared little, expecting, when the time of reckoning came to be living in comfortable retirement upon their ill-gotten gains, somewhere north of Mason and Dixon's line, and out of reach of a just retribution.

Arms were lacking for the militia and the adjutant-general, A. W. Fisher, a carpet-bagger, went North and borrowed secretly from the State of Vermont a thousand rifles. The news of his mission, however, reached North Carolina and did not add to the popularity of the republican administration. Nor, be it said, did the militia. A failure from the beginning in any preservation of order, it served only to rouse antagonism.

The legislature, which had an overwhelming republican majority in each house, was, in the meantime, engaged in legislation and in a process of education in the possibilities of their position. In this latter activity they found in the carpet-baggers and in the lobby, a set of very able teachers. Of the members more than thirty were carpet-baggers and more than twenty were negroes. Judged by their capacity for evil, the latter were the more desirable legislators. Most of them and a large number of the white members were illiterate, and almost all were totally inexperienced. The conservatives, in a hopeless minority and unable to carry anything, sought chiefly to oppose and to put the majority on record. All of the conservatives under disabilities or under suspicion were excluded, but no republicans were troubled.

Little constructive work was done. Most of the time was spent in discussing matters of small moment. The per diem was fixed at $7 with mileage at 20 cents and this failed to satisfy many of the members whose sole conception of public service bore a close relation to compensation therefor. They accordingly looked elsewhere for larger dividends upon their investment of time and effort and had little difficulty in finding them. Already plans of large financial operations to be conducted at state expense were being shaped by the group of schemers headed by General Littlefield who was maintaining a free bar, popularly called "the third house," in the capitol for the use of members and their friends.

One of the most interesting and significant acts of the legislature was the passage of a resolution affirming the validity of the existing government. It was based upon President Johnson's contemptuous reference to Governor Holden as "the man who writes himself governor of North Carolina"—which the republicans held to be an incitement to insurrection; upon Governor Worth's letter of protest to Governor Holden, when he surrendered his office as governor to the latter; upon the democratic national platform of 1868, which declared the whole process of reconstruction unconstitutional; upon Frank P. Blair's Brodhead letter; and upon the North Carolina conservative platform of 1868, which was of like tenor with the other documents mentioned. These were declared calculated to produce civil war, and in order to restore confidence, the state government was declared valid in every respect. The resolution was introduced by L. G. Estes and shows the fear of the republicans that the administration might be overturned. It also bears testimony to the deep-seated determination of the conservatives not to recognize the validity of the acts of the state government.

The debates showed the members to be, with a few exceptions, far below the average in ability. Prejudice and partisanship were rampant on both sides and the majority treated the minority with utter contempt, thereby setting a precedent from which their party was to suffer for many years to come. Disorderly scenes and abusive language grew commonplace, and decent people drew all too soon a breath of relief when the legislature finally adjourned.

The adjournment saw the beginning of the presidential campaign. In this the conservatives entered with real hope, thinking that the conservative forces of the North would rebel against the radicalism rampant in Congress and elect the democratic candidates, and that Reconstruction would be overthrown. They felt too that in the state the chance of success was good, and thus began work with real enthusiasm.

The most notable event in the campaign was the publication of an address to the conservative party written by Chief Justice Pearson, urging them to support Grant in order to prevent civil war. Denying any belief in the constitutionality of the reconstruction acts, he pronounced them extra-constitutional and declared that a subjugated people had no right to protest. He stated that two other members of the Supreme Court agreed with him. The letter was received with anger and contempt by the conservatives who declared with entire truth that North Carolina had not been accustomed to political activity on the part of its judges. The republicans, however, enthusiastically, and with considerable truth, claimed that all of the justices of the Supreme Court were active republican partisans, and published fifty thousand copies of Judge Pearson's letter as a campaign document.

Another campaign document of note was an address, written by John Pool and Judge Reade, which was signed by eighty-eight republican members of the legislature at the time of adjournment. Directed against the conservative party, it was the most incendiary document ever published in North Carolina. It was full of threats and was calculated and intended to inflame the negroes and alarm the conservatives. Its publication was a deliberate step in the policy of terror which the republican party adopted.

Both parties held conventions, that of the republicans being notable for the bitterness of the speakers, the presence of an immense throng of negroes, and the fact of the previous announcement that Justices Reade, Dick, and Settle and Judge Tourgee would take prominent parts in the demonstration. So bitter was the comment that the justices absented themselves. Not so, Judge Tourgee who, although able, was entirely shameless. Not content with acting as chief marshal at the convention, he also served on the republican executive committee and, with his eye on a nomination for Congress, converted the bench into a stump for the period of the campaign.

In the campaign once more appeared the Union League and the Heroes of America, the latter making its final appearance. The press, of course, was active and the *Standard,* owned actually by Littlefield but nominally by N. Paige, another carpet-baggers and its editor, after a series of bitter articles intended to incite the negroes to violence, published an editorial entitled, "Work," containing such a villainous reflection upon the womanhood of the state, that only the prompt and final departure from town of Paige prevented a lynching.

In spite of the activity of the conservative leaders, the people were apathetic. They had not yet come to know what radical misrule would mean and above all they wanted peace and quiet. Governor Holden, however, was fearful of the result of the election and appealed to General Meade to authorize General Miles to station troops wherever he [the governor] might think necessary, "to inspire a salutary terror." General Meade properly refused and the governor then issued a proclamation in which he stated falsely that the conservatives were bringing great quantities of arms to the state for use on election day. He then appealed to the Federal Government for arms and the halls of Congress were full of the clamor of carefully manufactured recitals of "rebel outrages." The governor ordered the organization of the detailed militia, but when this was brought to General Meade's attention, the order was suspended. The regular militia was sent to several counties as a threat, but accomplished nothing. Indeed the state was so quiet that not even the presence of the militia could cause disorder.

A few days before the election, General Miles issued an order forbidding officers and men to fraternize with political parties. By an accompanying declaration that the campaign had been conducted with creditable quiet, he emphatically gave the lie to the reports which the governor and his associates had been so sedulously circulating. In company with many of the officers and men of his command, he promptly, in violation of the state law, registered and voted.

The election was quiet and resulted in a sweeping republican victory, Grant carrying the state by more than twelve thousand, and five republicans securing seats in Congress. Plato Durham was one of the conservatives elected, but Menninger, the carpet-bag secretary of state, held up the returns for three months and then with the governor's knowledge and approval gave A. H. Jones, the republican candidate, the certificate.

The plunderers had felt it wise to delay operations until republican success in the nation was assured, but with the election out of the way, they eagerly awaited the meeting of the legislature. Although the credit of the state sadly needed rehabilitation, the legislature ignored the question entirely and gave itself over largely to the schemes of the spoilers. The policy of state aid to internal improvements had been adopted long before the war and practically all the debt of the state had been incurred in this way. In 1866 and 1867, in spite of financial depression, new bonds were issued. The war had shown nothing more conclusively than the need of greater and improved transportation facilities, and those who advocated the policy of state aid therefore naturally expected the new government to continue it. The plunderers, therefore, had not the task of forcing the acceptance of a new idea or policy; they had only to make use of an established system and were thus able for a time to conceal the real character of their operations and to use honest men as tools to accomplish their evil purpose.

On January 1, 1868, the total debt of the state, excluding of course the repudiated war debt, was $13,724,900 with accrued interest of nearly $2,000,000. Over $1,000,000 more was in doubt since, although not repudiated by the convention of 1865, it had not been specifically recognized. The bonds were selling at seventy.

The convention, which was attended by a quiet but influential lobby, began the work of plundering the state. Bonds of the Wilmington, Charlotte and Rutherford Railroad, to the amount of $1,000,000 were endorsed. The Northwestern Railroad was planned to extend from Lexington and Greensboro to Salem and thence to the northwestern boundary of the state, and the state agreed to make a loan of $10,000 a mile as fast as the grading of ten-mile blocks was completed. The bonds of the Chatham Railroad, to the amount of $1,200,000, were taken in exchange for an equal amount of state bonds, and the road was given all the state's interest in the Cape Fear and Deep River Navigation Company between Northing Dam and Gulf Dam. The Western Railroad received $500,000 in state bonds in exchange for an equal amount of the bonds of the Wilmington, Charlotte and Rutherford which had been given to it by the state. Money controlled practically all this legislation.

The new constitution forbade the legislature to contract any new debt except to supply a casual deficit or to suppress invasion or insurrection, unless in the same bill it should levy a special tax to pay the interest. It was also forbidden to give or lend the credit of the state to any person, association, or corporation, except for the completion of such railroads as were unfinished at the time of the adoption of the constitution, or in which the state had a direct pecuniary interest, unless the subject was first submitted to a vote of the people and ratified by them.

When the legislature met in July a ring was organized, headed by Littlefield and George W. Swepson, the latter being the paymaster of the "Ring." Beginning at this session, he allowed members of the legislature to cash their per diem at the Raleigh National Bank, of which he was a director, without charging them any discount. The "third house" aided greatly in the work of the lobby, and Littlefield's readiness to make loans to needy statesmen with no expectation of their being repaid, made him the idol of the carpet-baggers and corrupt scalawags, while his radicalism commended him to republicans who were not tainted with dishonesty. His charm of manner and bonhomie made his company acceptable to many conservatives who at first did not question his motives or character. In the legislature, Byron Laflin was the chief member of the ring, and as chairman of the committee on internal improvement, was able to render great service to the cause. The ring not only put through its own schemes, but in a short time undertook to market bond legislation at the rate of 10 per cent of the bonds received. Only through its aid could such legislation be secured and it was thus able to make its own terms.

Swepson paid a group of seventeen legislators, most of them carpet-baggers, which included Tourgee, Deweese, Laflin, Foster, G. Z. French, Estes, and Abbott, approximately $134,000 of which Deweese, Abbott, French, Estes, Foster, and Andrew Jackson Jones, a native, got the lion's share. He also paid Littlefield in cash more than $66,000, most of which was used for the corruption fund. Very little was done at the extra session for the reasons mentioned but the Chatham Railroad was authorized to exchange its bonds for state bonds to the amount of $2,000,000 and similar assistance in less amount was rendered the Williamston and Tarboro Railroad. The Western North Carolina was also divided into two sections, its stock increased, and the state's liability added to.

These things did not pass unnoticed. Conservative members gave notice that the bonds were fraudulent, and hence invalid, and that they would never be paid. The rumor spread that the interest on the old bonds would not be paid. To correct the impression, the October interest was paid by selling the dividend on the state's interest in the North Carolina Railroad, which was paid in bonds of the road, to Swepson and A. J. Jones at a price far below par or even market value. Swepson knew ahead what was to be done and was able by speculation in state bonds to clear a large sum. Of this he paid Treasurer Jenkins $600.

The Williamston and Tarboro and Chatham roads received their bonds and gave mortgages which were invalid for lack of revenue stamps and for failure of registration with the secretary of state. The Chatham mortgage included lands undescribed which the road did not own. A large number of the bonds were sold at a very low price and an inconsiderable amount was spent upon the roads. So clearly were the bonds invalid that they were excluded from the Stock Exchange.

Littlefield was made state proxy by Holden who regarded the state's interest in the railroads only as a political asset of the republican party and used it as such. He was directly responsible for the choice of Swepson as president of the western division of the Western North Carolina and of Littlefield who presently succeeded him. He was also in a lesser sense responsible for the choice of William Sloan for the Wilmington, Charlotte and Rutherford and of A. J. Jones for the Western Railroad, although he was aware that both were notoriously dishonest and had already been exposed in stealing from the state.

When the legislature met in November for its regular session, an act was passed providing for new issues to protect the old and special taxes were levied to pay the interest. For securing the passage of the act, Swepson paid Littlefield, acting for the ''Ring'' $240,000 in cash and a large number of bonds. At once an injunction restraining the treasurer from delivering the bonds to the Chatham Railroad was applied for and the Supreme Court on appeal declared the act unconstitutional because it had not been submitted to the people. The same act provided for $4,000,000 in bonds for the western division of the Western North Carolina, and a little later the stock of the two divisions was increased and the state was pledged to take three-fourths of the increase when 5 per cent of the rest was paid in. The additional stock payments were fraudulently made up and the bonds issued by Holden's order to Swepson without requiring from him his certificate that the stock was duly subscribed. The bonds were issued in various ways and only a small part was spent upon the road. A large part was expended in obtaining control of certain roads in Florida where Littlefield and Swepson planned similar operations.

The Wilmington, Charlotte and Rutherford Railroad was the next to profit, receiving $4,000,000 in state bonds, most of which was squandered without benefit to the road.

Another act incorporated the University Railroad, appropriating $300,000 in construction bonds. The directors had been appointed by the governor and a president elected, when the attorney-general pronounced the act unconstitutional. The matter was carried to the Supreme Court which unanimously agreed that the act was invalid. The court differed as to the extent of the decision, the chief justice holding that all the railroad bonds were invalid. While they argued this question they talked of the case very freely and the matter became widely known. A rehearing was demanded and the court handed down a decision confined to the case before it. Many accusations were made against the Supreme Court at the time, but there is no evidence to show improper conduct on the part of any particular member of it. Swepson, on one occasion, tapped his pocket and said that he had there another decision which had been prepared by the court and that it had cost him a large sum of money to prevent its being rendered, but his word carries little weight. The following telegram, sent him two days before the case was first argued, casts an unpleasant light upon the general situation of affairs:

"Raleigh, N. C., June 24, 1869.

"George W. Swepson,
"Baltimore, Md.,

"The case will be tried, but the opinion of the Court reserved until your return; this all I can effect.

"W. W. Holden."

A few days after the passage of the University Railroad act, the charter of the Western Railroad was amended and the state treasurer was directed to exchange $500,000 in bonds for an equal amount of stock in the road, to issue an equal amount in exchange for the bonds of the Wilmington, Charlotte and Rutherford Railroad, which had been paid to the former road by the state, and, for the purpose of extending the road to Wilkes County, to make an additional stock subscription of $500,000, making a total authorized issue of $1,500,000. To pay the interest, two special taxes were levied, one of one-eightieth of 1 per cent and one of one-fortieth of 1 per cent. The act provided for the retention by the treasurer of 180 of the bonds as security for the payment by the road, during the first two years, of $90,000 for interest, both of which sums were to be repaid at the expiration of that time. Under the provisions of this act, A. J. Jones, the president of the road, received 1,320 bonds. Fifty-five of these were sold by New York brokers for $24,255, and, from that amount, 7⅝ of 1 per cent of the face value of the bonds was charged as commissions, so that the company only received $20,893.13. The rest of the bonds were deposited with certain brokers in New York, by whom, under the instructions from Jones, part were hypothecated in an attempt to raise money to buy bonds on margin to bull the market. A pool was formed for this purpose by Swepson, Littlefield, Sloan, Jones, and a number of bondholders, including T. P. Branch, a Richmond broker, S. McD. Tate, T. W. Dewey, and R. Y. McAden. Treasurer Jenkins and Governor Holden were present in New York when it was formed and were frequently consulted by the members. At the same time it was decided by the railroad presidents that Henry Clews and Company should succeed Soutter and Company as the financial agents of the state. To this, Governor Holden consented and the change was made. Soutter and Company had been paid $1,000 a year as compensation for their services.

The Western Railroad was next assisted with a total of $1,500,000. A. J. Jones received $1,320,000 and squandered all of it, spending a long time in New York where he is known to have lost a large part in gambling.

The interest on the debt due in January and April, 1869, had not been paid and the bondholders began to complain loudly. Governor Holden was overwhelmed with correspondence from the North, where practically all the bonds were held, demanding payment, and it was clear that there was no chance for the bonds to rise in price unless something was done to satisfy the holders of those already sold. Swepson and Jones now agreed to advance the money to pay the interest on the special tax bonds, and Jenkins advertised that the April and October interest would be paid, and Governor Holden wrote an open letter to Clews and Company in which he said that the state would pay all its debts, especially the special tax bonds. The railroad stock owned by the board of education was now sold at a very low rate, and the proceeds, $150,000, along with the money received from the land scrip, $125,000, were invested in special tax bonds.

Two million dollars were subscribed to the Oxford Branch of the Raleigh and Gaston, $2,700,000 to an extension of the Williamston and Tarboro, but both acts were clearly unconstitutional and no bonds were ever issued.

The Atlantic, Tennessee and Ohio Railroad was aided to the extent of $2,000,000. Sloan and Laflin opposed the bill and were paid $20,000 apiece for silence. Deweese then secured an injunction and Judge Watts was paid $5,000 to grant it. A compromise which was the object of the suit was then reached at a cost of $163,000 in bonds. The rest of the bonds were finally returned to the state along with those received by Fowle and Badger as a fee for legal services, which they had returned to the company when they saw that blackmail was the object of the suit.

Two other acts chartered the Eastern and Western Railroad with an appropriation of $2,000,000 and the Edenton and Suffolk with $850,000. Both were unconstitutional and no bonds were ever issued.

These acts ended the work of the ring in securing legislation. By this time the whole state knew what was being done and the people were greatly roused. By the end of the summer of 1869, talk of repudiation was general and when the legislature met in the autumn no further legislation was possible and the presidents of the various roads were directed to return all unsold bonds to the treasurer and to account for the rest. A little later all the acts in aid of railroads were repealed.

The following tables give the available information in a condensed form:

Road	Amount authorized	Issued	Returned
Chatham	$3,200,000	$3,200,000	$1,650,000
Western N. C. (W. D.)	6,387,000	6,387,000	None
Western N. C. (E. D.)	613,000	613,000	None
Williamston & Tarboro	300,000	300,000	None
W. & T. (branch line)	2,700,000	None	None
University	300,000	None	None
Northwestern	2,000,000	1,080,000	1,080,000
Western	1,500,000	1,320,000	None
Atlantic, Tennessee, & Ohio	2,000,000	1,760,000	1,615,000
Wilmington, Charlotte, & Rutherford	4,000,000	3,000,000	None
Oxford Branch	2,000,000	None	None
Eastern & Western	2,000,000	None	None
Edenton & Suffolk	850,000	None	None
Total	$27,850,000	$17,660,000	$4,345,000

Road	Special tax levied	Tax on $100	Bonds left outstanding
Chatham	1/20 of 1%	.05	$1,550,000
Western North Carolina (both divisions)	1/8 of 1%	.125	7,000,000
W. & T.	1/30 of 1%	.0333	300,000
W. & T. (branch line)	1/16 of 1%	.0625	None
Univ.	1/100 of 1%	.01	None
Northwestern	1/20 of 1%	.05	None
Western	3/80 of 1%	.0375	1,320,000
A. T. & O.	1/20 of 1%	.05	145,000
W. C. & R.	1/8 of 1%	.125	3,000,000
Oxford	1/20 of 1%	.05	None
E. & W.	1/20 of 1%	.05	None
E. & S.	1/40 of 1%	.025	None
Total	2/3+ of 1% or	.6683	$13,315,000

TABLE

Prices of State Bonds in 1869

	Highest		Lowest	
	Old	New	Old	New
January	66	73	62	59⅜
February	64¼	61½	62	58½
March	64	59¾	60¾	56½
April	63½	56⅞	60¼	53
May	63¼	56¼	57	54½
June	60¾	56⅞	58	50¾
July	59½	53	50½	44½
August	58½	56	49⅛	49
September	56¾	48	50½	46
October	52½	40⅝	47	37½
November	48	38½	40	29
December	43½	33⅛	41¾	28¼
		1870		
January	43	29	40	24⅛
February	48	26½	40½	23
March	47¾	23⅞	45	22½
April	47	22⅜	46½	21
May	Not listed		Not listed	

From the dishonest officials, little was ever recovered. Littlefield, after leaving the state, went to Florida, where, resting under the protection of the various governors of that state, he defied requisition papers. All refused to surrender him upon the demands of Governor Caldwell who never rested in his efforts to capture him. Once Littlefield had to surrender to the sheriff of Leon County on a charge of bribery to avoid being sent to North Carolina, and, on another occasion, Governor Caldwell sent a member of the legislature to abduct him if necessary, and he was almost captured. The legislature offered a reward of $5,000 for him and two attempts were made by Floridians to win it. In both, Littlefield succeeded in escaping. With Swepson, he was indicted in Buncombe County in 1870, and requisitions were made upon the governors of New York and New Jersey for them. Swepson was arrested in Raleigh in 1871 upon a bench warrant issued by Chief Justic Pearson upon the governor's affidavit, and held to appear at Buncombe Court, but was never punished. He and Littlefield, the latter being in London, at different times made partial settlements with the Western North Carolina Railroad represented by N. W. Woodfin, but the road received only a small part of what was due it. Swepson's account with the state, skillfully handled by his lawyers, Merrimon and Ransom, steadily grew less, until it seemed wise to accept and make an immediate settlement.

William Sloan and John F. Pickrell were indicted in New Hanover for a conspiracy to defraud the Wilmington, Charlotte and Rutherford Railroad, and the former was criminally indicted for not accounting. He was found guilty in the latter case, but the Supreme Court reversed the decision on a technicality, and he escaped. A. J. Jones was convicted of not accounting and appealed to the Supreme Court, which, as in the Sloan case, reversed the decision. He was also criminally indicted in Moore County, convicted, and sentenced to ten years in the penitentiary. He appealed in this case and died before the case was heard.

A number of attempts were made to force the payment of the interest upon the special tax bonds. L. P. Bayne and Company sued for a mandamus against Jenkins to compel him to pay the interest which the legislature had forbidden, but the Supreme Court on appeal dismissed the case. Later, another case was brought in the Federal courts with the same result. No attempt was made to pay interest and the matter rested for several years. The holders of the bonds, issued before the war, to aid in the construction of the North Carolina Railroad, by suit in the Federal court secured the sequestration of the stock of the road held by the state, and thus obtained payment and security for the principal. For the rest, the state, having received little or no benefit from the railroads, was left with the burden of the bonds dishonestly issued and corruptly spent, a debt which was in addition invalid, without reference to the methods employed to create it, because of the fatal defect in the election of the body by which it was contracted.

These operations did not of course pass without notice. Various attempts at investigation were made, all rendered fruitless at first by the partisanship of the legislature, the majority in which saw in the attempt to punish thieves only an attack upon honored and trusted leaders of the republican party. In one case, that of the penitentiary, the fraud was uncovered. It was found that the committee charged with the location of the penitentiary had purchased from John M. Heck and D. J. Pruyn, the latter a notoriously corrupt carpetbagger, a site on Deep River and eight thousand acres seven miles away, neither of which they owned at the time the bargain was made. The purchase price was $100,000. The lands were then bought by Heck for less than $11,000 and he contracted to sell to Pruyn for $56,000. C. L. Harris, the superintendent of public works, then paid that amount to Heck in bonds and the balance of the purchase price to Pruyn in the same way. The deeds were not warranted and more than six thousand acres were undescribed.

Somewhat in contrast to this was the act of the legislature in forbidding the sale, without its consent of the swamp lands belonging to the board of education. This was due to the revelation of the fact that they were about to be sold far below their value for the benefit of a few interested parties, headed by D. P. Bibles, a carpet-bagger supposed to be in partnership with General Sickles. Later on a similar plot, engineered by Bibles, was formed, but C. L. Harris was informed that a fraud was about to be committed, shared in by two members of the board of education, probably Ashley and Menninger. He opposed the sale and relied upon the support of the governor, who, however, championed the cause of the ring, and in consequence a breach occurred between them which was never healed. The sale was prevented at the time, but was later consummated on terms very unfavorable to the state.

One of the most important acts of the session was one making it a felony to go masked, painted and disguised on the highway with the intent of terrifying any citizen. This was of course directed at the Ku Klux who were becoming active. Its passage was secured by the governor's sending the militia to Alamance with the statement that it was necessary to have troops there to protect the lives of loyal citizens.

By the end of the session the legislature had become a scandal, and public criticism was bitterly severe. The majority of the members were either ignorant or careless and a large number were entirely corrupt. By the time of adjournment repudiation was in sight. Even such carpet-baggers as Sweet and Seymour began to protest. The former had his eyes opened as to the motives and considerations behind the legislation and the latter considered the question, chiefly from the standpoint of policy and expediency. But it was too late to save the legislature from political damnation and there was little hope that any good would come from it. It had recklessly plunged the state so deep in debt that it was on the verge of avowed bankruptcy, and in doing so, it had been utterly contemptuous of constitutional restrictions. It had shown itself partisan, selfish, incompetent, and corrupt. Judge Alden told a New York banker that he could buy a majority of the body. George W. Swepson and M. S. Littlefield had bought for their joint use, among others, Abbott, Laflin, Estes, Foster, Hyman, Sinclair, Stevens, J. H. Harris, and Rev. Hugh Downing. These facts were not clearly proved as yet, but they were suspected, and the result was fatal to the majority. At the beginning of their term they had presented a united front to the conservatives who were ignored in debate or silenced by the call of the previous question. This condition of affairs was now soon changed. Friction among themselves increased until the majority was apparently about to break up into hostile cliques. The deportment of the members was never good and became worse as the session progressed. Abusive and profane language was common in debate and there were occasional personal encounters.

Although there was no election in 1869, political interest was strong and the conservatives gained ground in public sentiment. In the summer B. F. Moore published a powerful protest against political activity on the part of the judges, written by himself and signed by 108 of the leading lawyers of the state. This action was not intended to have political significance but only to serve as a warning. But it could not fail of political effect and when the court met in June, the chief justice declared that "the case appeared as if the bar had been lying in wait to murder the judiciary," and directed the service of a rule upon all the protesting lawyers who practiced before the court to show cause why they should not be silenced for contempt. By agreement the rule was served only upon Moore and two others who while admitting disapproval of the conduct of the judges, pleaded a lack of intent to bring the court into contempt, upon which the chief justice, after administering a scolding to the lawyers, ordered the rule discharged. The action of the court did not strengthen it, many, even of the republicans feeling that it had erred badly.

The republicans were beginning to lose the coherence which had at first characterized the party. The conservatives saw this and were quick to take advantage of it. No opportunity was lost to widen any breach that was visible, nor was the battle against the radicals lessened at all when the legislature adjourned. The most influential agency in this contest was the *Sentinel,* edited by Josiah Turner with an enthusiasm for polemics that seemed little short of diabolical to his opponents. He was a man of positive genius for political warfare, sparing not and caring little where he struck. Quick-witted, ingenious in putting an opponent on the defensive and keeping him there, and at the same time ignoring a counter attack, gifted with a keen sense of humor, he saw the ridiculous side of everything and employed it as a means to an end, realizing clearly that in politics a dangerous enemy is often rendered harmless by laughter and ridicule. He had a nickname for nearly every carpetbagger and for a number of the native republicans and spoilsmen. The "hands," "Pilgrim" Ashley, "Windy Billy" Henderson "who stole Darr's mule" (or as he later phrased it, "who was tried and acquitted of stealing Darr's mule"), "Kildee" Lassiter, "Chicken" Stephens, "Greasy Sam" Watts, "Blow Your Horn Bill" Smith, "the Governor's Son Joseph," "Ipecac" Menninger, "Colonel Heck who teaches the Sunday School," "Parson" Sinclair "Sleepy" Downing, "Ku Klux" Ingram, "Grapevine" John Ragland, and "Captain" Thomas Settle, are terms that are familiar in North Carolina even today. No man in the state

Josiah Turner, Jr.
Editor of the Sentinel

was so bitterly hated by the republicans and, as time went on, so intensely feared. He saw everything. Through sources of information never revealed, he learned of plans and policies that were studiously concealed from the public by their originators. He never forgot or overlooked a vital point, never lost his temper, and never forgave, but cunning as a serpent, writing with a pen that seemed dipped in gall, he relentlessly pursued what now became the chief aim of his existence, the overthrow of the republican party in the state. No man was ever better adapted to such work, for his genius was destructive always and he naturally belonged to the opposition. He was the inspiration of the conservative party in its deepest gloom, and to him more than to any other man belongs the credit for the speedy overthrow of Reconstruction in North Carolina.

The republicans were in no condition to stand attack, new lines of cleavage appearing steadily. Several factions opposed Holden, some of them bitterly. Friction and ill-feeling developed between the natives and the carpet-baggers. There were marked beginnings of a conservative and radical division in the party which was to end finally in the loss of the former. By the summer of 1869 the party was on the defensive. The state debt and the methods by which it had been created excited feeling, and as it became more evident that small benefit was accruing to the public, hostility took the form of a demand for repudiation which was not at all confined to the conservative party.

Nor was the legislative record alone responsible for this. The administration was in a sense as unpopular as the legislature. It was extravagant, equally inefficient, and was not free from corruption. It was, as might have been expected, partisan to a degree. The governor seems never to have profited personally to the extent of a penny from the widespread stealing, but he was hand in glove with the thieves, many of whom, like Swepson, Sloan, Littlefield, and Jones, were given their best opportunities by him. He also extended to them all the protection in his power. In this sense he must be held partially responsible for their acts. A strong and good man could have held back the thieves, but with his eyes open he refused to do so.

The other state officers were incompetent or worse. Menninger, the secretary of state, was utterly corrupt. D. A. Jenkins, the treasurer, although the receipt of $600 from Swepson is a most suspicious fact, seems to have been honest in relation to the funds in his hands, but he did nothing to check the wholesale rascality. Adams, the auditor, was a nonentity. Harris, the superintendent of public works, was personally honest, but was bitterly partisan. When he protested against fraud, the governor read him out of the party. Ashley, the superintendent of public instruction, was inefficient and corrupt. On every side there was nepotism. For example, the governor made his son, already speaker of the House, through his influence, director in two railroads, his brother director in one, one son-in-law attorney-general, and another mayor of Raleigh. Josiah Turner, commenting on this in the *Sentinel*, said: "But if any provide not for his own, and especially for those of his own house, he had denied the faith and is worse than an infidel."

In the judiciary morals on the whole were better and ability, if anything, worse. The Supreme Court was an exceedingly able body with the grave fault that it was actively in politics. The Superior bench was far worse off. Watts was corrupt and incompetent. Jones was an habitual drunkard, brazenly immoral, and hopelessly incompetent. Logan was honest in money matters, incompetent, ignorant, and very partisan. Tourgee was able but corrupt and otherwise devoid of character. Buxton was honest, able, and inclined to dabble in politics. Cannon and Cloud were honest, ignorant, and rather stupid country lawyers who belonged anywhere rather than on the bench. Pool and Thomas were of good character and average ability. Mitchell had been long on the bench and was a good judge. Almost all were careless and inclined to laxity in attendance, and the grand jury of Orange, at Turner's instigation, presented Tourgee in his own court for leaving early. An interesting view of the legal knowledge of the Superior bench is to be found in the fact that the Supreme

Chief Justice Richmond M. Pearson Edwin G. Reade
Thomas Settle
William B. Rodman Robert P. Dick

THE SUPREME COURT IN RECONSTRUCTION

Court reversed 70 decisions out of 114 cases heard at January term, 1870.

Local conditions varied. In the black counties they were terrific; in many white counties in republican hands there seems to have been honest and capable government. Not all the conservative counties were well-governed, but there was in the republican counties generally a marked tendency to an extravagance out of place considering the condition of the people. Many of the more lucrative and important offices were held by carpet-baggers and nearly all were corrupt. Craven, Pitt, New Hanover, and Wake suffered particularly from carpet-bag rule. In the Federal service things were little if any better during this period and for many years to come. Such were the political conditions of the republican régime. Social and economic conditions contributed also to republican weakness.

In the meantime a movement was in operation which powerfully influenced the course of history in the state.

The Ku Klux movement, which appeared in almost every Southern state during the decade following the war, grew naturally out of the chaos in society which was caused by the ordinary results of the war and, more especially, by Reconstruction. The old order with its security and stability had disappeared and the people of the South were confronted with problems which required immediate solution. Not the least pressing and important of these was that of the relation of the races, with its important bearing upon the labor question. The first attempt towards a settlement of this furnished one of the chief pretexts of the radicals in entering upon their policy and the adoption of the congressional plan apparently destroyed any possibility of the control of the lower race except by force. The force of law, the power of the government, were in the hands of aliens or their tools, and conditions grew rapidly more unsettled until the statement of the committee on reconstruction that the governments of the Southern states "afford no adequate protection for life or property, but countenance and encourage lawlessness and crime," false when it was made in 1866, became entirely true. Liberty with the negroes rapidly degenerated into license and, banded together in secret leagues which to radical officers served as a valid political cloak for all offenses, instigated to violence by unprincipled adventurers who had been lifted into political power by the negro vote, alienated from their former friends by slander, they unconsciously set about the destruction of civilization in the South. Crime and violence of every sort ran unchecked until a large part of the South became a veritable hell through misrule which approximated to anarchy. Called into existence by this state of affairs, the Ku Klux lifted the South from its slough of despond by the application of illegal force which overthrew Reconstruction and ultimately restored political power to the white race. In the process, it furnished protection to the oppressed, but, degenerating from its high purpose and estate, as might have been expected from its nature and organization, it was often violent and sometimes oppressive, and in the end, fell into the control of reckless spirits who used it for private vengeance rather than public punishment. But when this evil day came, its purpose was in a fair way of accomplishment. The women of the South once more could leave their doors without the accompaniment of a deadly terror. Property became fairly safe again. Heart had been put into the despairing whites and a revolution had been wrought through its operations, or, to be more exact, the results of a revolution had been overthrown and a form of government, wickedly, illegally, and unconstitutionally imposed upon the people, had come into the hands of the class best fitted to administer government, and the supremacy of the white race and of Anglo-Saxon institutions was secure.

The inherent evils of the movement are plain, but it is an old adage that desperate diseases require desperate remedies. Certain it is that no open revolt could ever have accomplished so much of good as did the secret operations of the so-called Klan, and few today would deny that there was necessity for some remedy for the conditions then existent. The justification for the movement even then sometimes seems difficult, but when all the elements are considered, the conclusion seems inevitable that if there be such a thing as the sacred right of revolution, then the Ku Klux movement as planned and carried out at first was justifiable. No free people ever labored under more galling oppression or more grievous misrule, and, in the absence of any effective legal remedy, the principle of *salus populi* would seem to apply. At any rate, it is clear that the movement was primarily designed for protection and its influence upon politics was purely incidental. The evidence is overwhelming in support of the theory that the chief purpose of the Ku Klux was to oppose the Union League and check its operations. The unfortunate thing is that such an extreme and, under ordinary circumstances, indefensible policy should have been necessary. Like practically every other evil of reconstruction, its effects survive and are too often manifested in Southern life and thought. The responsibility for it must ultimately rest upon those who planned and put into effect for partisan purposes the congressional plan of reconstruction.

In North Carolina the movement was carried on by three separate but kindred societies whose methods were identical —the White Brotherhood, the Constitutional Union Guard, and the Invisible Empire. All were secret orders with rituals, all were organized for protective purposes, and all in time had political influence and significance. The White Brotherhood appeared in the state sometime in 1867 or 1868, and nothing is known of its origin; the Constitutional Union Guard was organized at the North, probably with a political purpose and reached North Carolina in 1868; and the Invisible Empire, the Ku Klux proper, organized in Tennessee in 1865 reached the state in 1867 or 1868. These orders were organized locally into camps, klans, and dens, respectively. In North Carolina, they existed side by side, often with the same officers and almost the same membership and it is now almost impossible to distinguish them. At the head of the Invisible Empire was William L. Saunders, who, though not a member, directed its larger activities and through it those of the others as well. Their nominal heads are not known. Their members were widely scattered but no one knows or ever knew their number. Forty thousand was a very usual estimate. Nor is the geographical range of the orders any better known. It was essentially a movement of the Piedmont region of the state

A Ku Klux Klan Costume
From an original photograph in the Hall of History at Raleigh

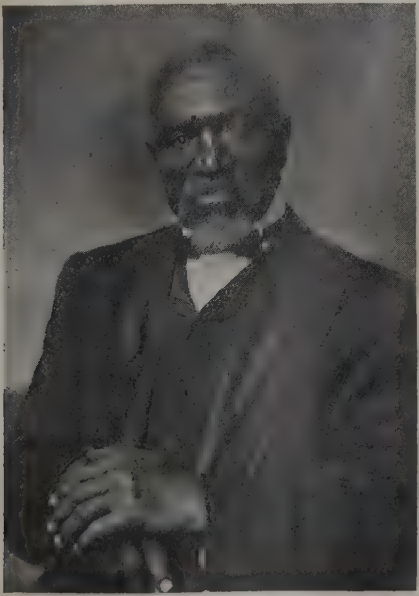
BANNER USED BY THE KU-KLUX.
Original now in North Carolina Room, Confederate Museum, Richmond.

A Ku Klux Klan Banner Used in North Carolina and was never very successful in spreading in the eastern counties where there was a large negro population. The only counties with negro majorities in which the Ku Klux appeared were Caswell, Lenoir, Jones, Franklin, and Wayne, and only in Caswell were they active. The counties in which the orders displayed any activity fall into two groups, a central and a western one. In the former, were Alamance and Orange, where Daniel R. Goodloe said the movement was hereditary and closely akin to the Regulation, Caswell, Chatham, Cumberland, Duplin, Harnett, Lenoir, Jones, Moore, Person, Franklin, Wayne, Guilford, Rockingham, and Stokes. In the latter were Burke, Catawba, Cleveland, Gaston, Lincoln, Mecklenburg, Polk, McDowell, Rowan, and Rutherford. Orange and Alamance formed the storm centre of the central group and Cleveland and Rutherford of the western. So far as outward manifestation is proof, the movement was of comparatively little importance elsewhere. But it is not to be doubted that it was in a quiet way very important, both protectively and politically, in many counties where it did not attract any public attention. In the latter respect it was an organization which kept its members aroused. Its chief work in the state and in the South, in addition to the protection it furnished, was in restoring heart and courage to the white people who at first seemed overwhelmed by the immensity of their misfortunes. In this way it was the active agent which secured political redemption. The western group of counties was largely influenced by South Carolina and was practically unconnected with the central group. In fact the chief activities in the West commenced only as the movement ceased further eastward. In the West the organization was far less complete and the discipline less effective. Its punitive measures were far less productive of public benefit and, in its period of greatest activity, the movement had little to recommend it.

The important activities of the Ku Klux began in 1869 although without resorting to violence it had not been inactive before. In that year in Alamance, Orange, Caswell, Jones, Lenoir, and Chatham counties severe punishment was inflicted upon various evil-doers by the orders which constituted themselves censors of public morals and manners. In Alamance where the order was popular with the people a large number of persons, most of them negroes, were whipped for various offenses. Politics so far as can be discovered did not enter into any of these cases. In Orange which was probably the best organized county in the state, a large number of persons were whipped, and five, all negroes, were put to death for offenses against women or for barn-burning. In Jones the Union League had a large number of outrages to its score and in retaliation, two carpet-baggers and a negro were shot and killed. Proof was lacking but it is likely that the Ku Klux were responsible. In Chatham whippings were frequent but no one was killed. Both the League and the Ku Klux were in constant operation. In Caswell the League was very active and, under the leadership of John W. Stephens, a man of bad reputation and notoriously evil political life, barn-burning was seemingly the purpose of its existence. During 1869 a large number of negroes were whipped.

The Ku Klux operations which were not very widely extended and not nearly so lawless as those of the Union League, excited the anger, fear and hatred of the republican leaders. The sending of militia to Alamance County, to be followed later by Federal troops, had a corresponding influence upon the conservatives. The governor planned to send troops to Hillsboro, but his friends warned him not to do so. Late in the same month, he warned the people of Orange, Chatham, Lenoir, and Jones to abstain from lawlessness and threatened to declare them in insurrection. About the same time, Chief Justice Pearson wrote a letter to George Little, in which he said the entire state was in as profound peace as it had ever been. The governor's action did not at all aid the republican party and was probably a cause of strength to the opposition. The mass of the people were fully aware of the fact that, if the governor had been more zealous in trying to prevent radical lawlessness, he would not have had as much occasion to worry over Ku Klux outrages, many of which had been carefully invented for the press with a full realization of their political value. At the same time, it seems beyond question that Governor Holden believed that the condition of affairs seriously menaced the safety and welfare of the state as well as of his party. In so far he was justified.

In spite of the hysterical press notices which would indicate the contrary, there was never a time when the Ku Klux were disturbers of general public peace and order. In fact, for a time, at least, after their appearance, there was improvement in this respect. The courts were undisturbed and the officers of the law went unhindered about their duties. Wrongdoers and radical politicians, names then too often synonymous, trembled, a small class of timid whites became alarmed, and panic, not soon allayed, spread among the negroes, but the mass of the white people remained undisturbed and unafraid.



Caswell Holt of Alamance County, Who Was Whipped and Shot by the Ku Klux

This photograph was taken in 1912, while he was in the employ of the former county chief of the Ku Klux

The legislature in 1869, it will be recalled, had made going on the highway masked, painted, or disguised, a felony, and Governor Holden had formally proclaimed his intention to enforce the law. The legislature at the same session authorized him to employ a force of detectives to arrest fugitives from justice. The governor construed the law liberally and planned a secret campaign against the Ku Klux which failed in spite of the activities of some twenty detectives. In Lenoir and Greene, Judge Thomas ended the operations of the secret orders. The center of disturbance was Judge Tourgee's district, and while he talked loudly and was not lacking in personal courage, he accomplished nothing. Militia was sent to various places with no success and finally the governor threatened to declare several counties in a state of insurrection. Such was the situation in the state when the legislature met for its third and final session.

Ort militia

The third and last session of the "mongrel" legislature differed greatly from its predecessors. The credit of the state was gone, all resources were taxed to their limit, and there remained nothing for the corrupt to exploit; nothing to steal. The haughty and proscriptive spirit displayed by the majority had disappeared, and the hitherto despised minority began to assume importance as the majority of a rapidly approaching tomorrow which would bring a reckoning. In consequence, unity departed from the republicans, and, during most of the session, the conservative minority drove before them the badly-demoralized majority.

The governor's message was of little importance except in respect to three things. He recommended the payment of the interest on the debt, declaring that the state had received the money from the bonds, but advised against any further increase of the debt. He advised an appeal to Congress for a general amnesty bill, not because he thought amnesty was deserved, but because it would relieve friction. Most important of all, was a request to the legislature to increase his power in the use of the militia. Governor Holden evidently desired to appear to his political opponents equipped with an olive branch and a sword.

Immediately after the session began, bills to carry out the governor's suggestions were introduced. A resolution favoring general amnesty passed both houses by good majorities. One introduced by Seymour endorsing the validity of the debt, opposing any increase, and condemning repudiation, failed to pass. The debate indicated clearly that most of the members did not expect the bonds to be paid.

The third recommendation of the governor resulted in a bill "for the better protection of life and property," introduced in December by Senator Shoffner, of Alamance, and thereafter known by his name. The author of it, however, was John Pool and rumor had it that Shoffner was paid a considerable sum of money for consenting to father it. The act empowered the governor, whenever, in his judgment, the civil authorities in any county were unable to protect its citizens, to declare the county in a state of insurrection and to call into active service the militia of the state for its suppression. The judges and solicitors were given power to remove to another county the trial of any person indicted in any county for murder, conspiracy, or going masked, painted, or disguised. All expenses incident to either action were to be borne by the county concerned, the privilege being given to the county to tax the costs upon any persons convicted. The bill was vehemently opposed by the conservatives who declared it unnecessary and denounced it as unconstitutional and intended simply to give the governor unlimited military power to use for political purposes. Republican sentiment was not at all united on it. W. T. Gunter, of Chatham, an intense republican, led the fight on it in the House and even Deweese wrote many letters from Washington in opposition to its passage. Seymour, who was its chief defender, acknowledged that it was wrong in principle but declared that the times demanded it. In private conversation, he made no secret of the fact that it was passed as the only hope of holding the state republican. The chief defense of the republicans was that the bill did not authorize the suspension of the writ of habeas corpus.

At least three-fourths of the session was spent in discussion of proposed investigations of the charges of fraud. The thieves, the *Standard*, the carpet-baggers, and some partisans fought every proposal, declaring them stabs at the republican party and urging the republican members to act with republicans and not with enemies and to disregard a "snarling minority." Littlefield ran away from Raleigh but finally appeared before the House in committee of the whole where, under the protection of Sinclair, Seymour, French, Downing and James H. Harris, he was not seriously embarrassed. Swepson was summoned but with the aid of the governor escaped. Numerous minor investigations were made and finally a commission to investigate the whole question of fraud was authorized. Lieutenant-Governor Caldwell, a scrupulously honest, if partisan, man appointed on it Thomas Bragg, Samuel F. Phillips, and W. L. Scott, a group commanding general confidence. Not much time was allowed them but the testimony taken by them was damning. Littlefield saw the danger and gave an oyster supper to the republican members with an unlimited supply of liquor. A large number got drunk, nineteen senators agreed to secure the abolition of the commission, and the law was repealed on the following day.

In the meantime something more than investigation had been accomplished. As an interesting indication of sentiment, it is notable that the Senate passed a resolution forbidding the treasurer to pay any interest on the special tax bonds until further action by the legislature. Finally, all appropriations of bonds to railroads were repealed and the companies were directed to return to the state all which were unsold.

The radical element sought to prolong the life of the legislature by taking advantage of an ambiguity in the constitution which Tourgee said had been inserted for that very purpose, but public opinion was too strong, and after providing for an election in August the Legislature on March 28, 1870, adjourned sine die. During its term it had been in session 259 days and in per diem and mileage alone had cost the state $349,705.30. Printing had cost more than $50,000 and incidental expenses were probably more than $200,000. How great was the cost to the state of their activities, viewed from financial, economic, social, moral and political standpoints, is of course beyond human surmise.

With the adjournment most of the carpet-baggers saw the handwriting on the wall, and the more brazen made no secret of their belief that their day had come to an end. Byron Laflin was asked as he started for the station the day of adjournment: "You are coming back, General?" and replied with a leer, "Is there anything to come back for?" The rats were deserting the sinking ship. Deweese about the same time was forced out of Congress for selling a cadetship. His sole and probably true defense was that he was really expelled for underselling the market. In disgrace, under indictment for misuse of his frank, which he had lent to send out state republican campaign documents, he retired to Cleveland, Ohio, where he had invested his rather tidy profits in a city block.

In the state almost every carpet-bagger in office was known to be a defaulter and the hatred of them by the mass of republicans was scarcely less intense than that felt by the conservatives. The state administration was, however, hopelessly committed to them, and since they held a large number of Federal offices the party organization was more or less dominated by them.

CHAPTER VIII

THE DOWNFALL

Republican opposition to the Ku Klux was to be expected from the very nature of the case. The operations of the orders were mainly directed against members of that party and, even when they were not, the very existence of the secret organizations of self-constituted regulators indicated a condition of affairs which the party had no reason to be proud of. In addition, from the very beginning, the organizations were regarded by republican leaders, at least, as political in nature. Less important members of the party agreed to this in public, but many of them in their hearts probably had a guilty consciousness that the offenses for which they feared the visitation of the dreaded night-riders were not at all political; that, in fact, their republicanism was the least of their sins. In some communities that had suffered greatly at the hands of the negroes, the republicans were secretly grateful to the klan, and, in the days of its degeneracy, a considerable number of them joined it, in order that, under the shelter of its disguise and its fellowship, they might violate the laws of the land, particularly those in reference to the manufacture and sale of whiskey. But this of course was not loyal republicanism. Hatred of the Ku Klux speedily became a cardinal doctrine of the party and it was regarded as good party policy to magnify the violence of its acts as much as possible, connecting it at the same time with the opposition party, and thereby to attract as much attention as possible in the North. Right faithfully most of the "loyal" carried out this obligation, taking due care, however, not to get their names connected with the ingeniously manufactured product which appeared in the press under the heading, "Southern Ku Klux Outrages."

Upon the activities of the Ku Klux in the state the governor now prepared to base his plan for carrying the election of 1870. In the summer would be chosen the attorney-general, the members of Congress and a legislature which would select a United States senator. Upon its result depended the future of the republican party and the governor's own personal ambitions. The conservatives were deeply stirred and very hopeful, for it was increasingly evident that the people were weary of the republican régime and even the republican leaders were skeptical of success. The governor at first sought some new alignment of parties by which the native white republicans and the old whigs might combine, with the carpet-baggers and negroes excluded. But the plan would not work as long as Holden was included in it. The party had heavy burdens to carry. The extravagance, dishonesty, and incompetence of the administration, the shameless corruption of the legislature, the partisanship of the judiciary, and the divisions in the party, all contributed to make the cause well-nigh hopeless from the beginning.

On the conservative side, the chief burden that had to be carried was the Ku Klux. But this was not so heavy as might be supposed. In spite of all the violence for which, justly or unjustly, it received the credit, its service to the people was recognized by the masses, who had never regarded it in the same light as the political leaders had. In the next place, the very denunciation of it by the republicans, combined with their highly-colored accounts of its real and supposed outrages, tended to intimidate the negroes politically far more than the Ku Klux had ever done, and thousands of negroes who had never been molested by the Ku Klux determined to have nothing to do with politics, in this campaign at least. The truth is that many of the negroes, chiefly those in the country, were beginning to discover the falsity of political promises and had come to believe that politics as conducted by the carpet-baggers and other whites had little of good for them. Disappointed in the past by their failure to receive "forty acres and a mule," they were taking steps to acquire those coveted possessions by hard work.

Early in March, 1870, Wyatt Outlaw, a negro, was hanged by the Ku Klux in Alamance, and on March 7th, the governor proclaimed the county in a state of insurrection, but took no steps to suppress the supposed uprising. In Orange, where conditions were in some respects worse than elsewhere, and in Chatham, leading conservatives induced men of influence in their party to apply to Governor Holden for commissions with a view to disbanding the orders. In both counties Ku Klux activity ended here. The governor, in the meantime, notified the President of what had been done, suggested legislation by Congress which became the basis for the later Ku Klux laws, and urged the senators from the state to secure power to have the leaders tried by military tribunals and shot.

In May, John W. Stephens, a state senator and one of the governor's detectives, was killed by the Ku Klux who had discovered that he was responsible for the barn-burning in Caswell.

The governor, facing certain defeat unless new measures to win the election were concerted, was desperate. His evil genius, John Pool, now presented a plan. At a republican conference in Raleigh on June 7th, participated in by some of the most undesirable elements in the party, he suggested the organization of two regiments of regular troops as detailed militia, and their use in arresting various persons in the state. The writ of habeas corpus was to be ignored and it was suggested that the accused be tried by a military commission. Richard C. Badger, who was present, vehemently denounced the plan as vicious, but the governor, in spite of his timidity and misgivings, was entirely under Pool's influence, and so the plan was adopted except that part involving trial by military commissions. Back of it all was President Grant who approved the plan and furnished the equipment for the troops. Caswell County was at once proclaimed to be in insurrection and preparations for the organization of the troops were hastened.

W. J. Clarke, a native, was placed in command of one regiment. For the other, George W. Kirk, a noted Tennessee bushwhacker and desperado was chosen. George B. Bergen, of New Jersey, was made lieutenant-colonel. The following circular, written by Holden, was then printed and distributed in the western part of North Carolina and in Eastern Tennessee.

> RALLY UNION MEN
> IN DEFENCE OF YOUR STATE!
> RALLY SOLDIERS OF THE OLD
> N. CAROLINA 2D AND 3D FEDERAL TROOPS!
> RALLY TO THE STANDARD OF YOUR OLD COMMANDER!
>
> Your old commander has been commissioned to raise at once a regiment of State troops, to aid in enforcing the laws, and in putting down disloyal midnight assassins.
>
> The blood of your murdered countrymen, inhumanly butchered for opinion's sake, cries from the ground for vengeance.
>
> The horrible murders and other atrocities committed by rebel K. K. K. and "southern chivalry," on grayhaired men and helpless women, call in thunder tones on all loyal men to rally in defence of their State. The uplifted hand of justice must overtake these outlaws.
>
> N. CAROLINA 2D AND 3D FEDERAL TROOPS!
> 1,000 RECRUITS
>
> are wanted immediately, to serve six months unless sooner discharged. These troops will receive the same pay, clothing and rations as United States regulars. Recruits will be received at Asheville, Marshall, and Burnsville, North Carolina.
>
> For further information address or call on me at Asheville, N. C.
>
> GEORGE W. KIRK,
> Colonel 2d Regiment State Troops.

Kirk, with Holden's consent, went secretly to Tennessee and, in violation of law, raised a large part of his force there from his own kind.

In the meantime the parties had held their conventions and prepared for the campaign. For attorney-general the conservatives nominated William M. Shipp, a man of ability and of good record. The republican convention was the scene of a three-sided factional contest in which John Pool outwitted both Holden and Abbott, defeating the latter with Holden's aid for the presidency of the convention and then preventing any endorsement of Holden's administration and the nomination of his son-in-law, L. P. Olds, for attorney-general. For this position Samuel F. Phillips, one of the most prominent of the conservatives in the state was nominated and in accepting he gave the republican party and its record in North Carolina an unqualified endorsement and was henceforth not only a republican but a radical.

The plan of the governor to use military force, when made public, excited the utmost horror and surprise in all decent people. Prominent republicans flooded the governor with letters of protest. Some extremists, most of them of like character with Kirk, heartily endorsed the plan. The *Standard*, claiming to speaking for the governor, and probably doing so, was full of threats, going so far as to say that if it was thought necessary, certain leading conservatives, already determined upon, would be put to death. One of these, it is interesting to know, was William A. Graham.

In Washington, Pool and Abbott organized a campaign of misrepresentation in order to build up a sentiment in the North in favor of what was about to happen. The President sent for Holden and assured him of his support, saying: "Let those men resist you, Governor, and I will move with all my power against them." The governor came away confident and determined upon the creation of a military commission to try those arrested. This may have been suggested again by Pool; in all likelihood it was the suggestion of the President.

In spite of all the later claims in respect to the purpose of raising the miltary force, at the time, among the conspirators, there was no pretence of its having any other object than to wreak partisan revenge, excite a wholesale terror, and above all, carry the election.

Kirk's regiment consisted of nine companies with a total of 670 men, of whom 399 were under legal age, 64 over legal age, and more than 200 from other states. Enlisted among the whites, also in violation of law, were a large number of negroes. It was an undisciplined disorderly body, composed chiefly of criminals and desperadoes, drawn from the worst elements of the mountain population.

On July 6th, the force reached Alamance where a few days later they were mustered into state service. A military commission was then selected consisting of Kirk's field officers and a group of partisans, holding Holden's militia commission, all of them of worse than mediocre ability and entirely subservient to Holden. The commission was ordered to meet on July 25th and it was planned to execute its sentence just before the August election but this plan was later changed.

The conservatives had viewed the threatening situation with disgust and with more fear of an uprising of the people that would lead to Federal interference than with terror of Kirk. Leaders besought the people to be patient and win at the ballot box. In fact the movement from a conservative standpoint was most important. It aroused such hostility that the most indifferent voter was affected and the republicans, more than ever, were put on the defensive and their defeat assured.

On July 1st, Bergen arrested in Alamance J. S. Scott, a merchant, James E. Boyd, a young lawyer and the conservative candidate for the House, and A. G. Moore, a farmer, informing them that this was done under instructions from Governor Holden. Upon application Kirk refused to admit them to bail. The next day a petition for a writ of habeas corpus was presented to Chief Justice Pearson who granted it. The writ was served upon Kirk at Yanceyville where, under orders from Holden, he was carrying part of his force. Declaring that such papers had played out, he refused to obey the writ except under orders from the governor. Application was then made for a writ of attachment against Kirk when Badger, acting for the governor, suggested that he might wish to be heard. The chief justice accordingly sent him a copy of the writ and the next day the governor replied assuming responsibility for Kirk's action. He declared himself authorized by law to take such a course, which he professed to believe necessary to suppress the insurrection in Alamance. The chief justice after hearing argument of counsel on lines laid down by himself, delivered an opinion in which he upheld the governor's power to declare a county in insurrection but denied the suspension of the privilege of the writ. Acknowledging the right of the petitioners to a writ of attachment, he refused to address it to any sheriff or to call out the *posse comitatus* on the ground that it would precipitate civil war in the state. He closed the opinion as follows:

> The writ will be directed to the Marshal of the Supreme Court, with instructions to exhibit it, and a copy of this opinion to His

> Excellency the Governor. If he orders the petitioner to be delivered to the Marshal, well; if not, following the example of Chief Justice Taney, in Merrimon's case, Annual Cyclopedia, for the year 1861, page 555, I have discharged my duty; the power of the Judiciary is exhausted and the responsibility must rest on the Executive.
>
> PEARSON.

The same procedure was followed in the case of the other prisoners arrested and when a writ issued by Judge Mitchell was served on Kirk, he tore it up.

In the meantime Kirk's force had occupied the courthouses at Yanceyville and Graham, from which bases they terrorized the two counties, seeking evidently to provoke an uprising of the people. In Caswell nineteen prominent citizens were arrested and imprisoned. Many were treated with outrageous barbarity and some remained in jail more than a month, to find, when a hearing finally came, that there was not a scintilla of evidence against them. Writs were secured for all of them with the result already described. In Alamance eighty-two persons in all were arrested and many of them tortured.

When Kirk carried James E. Boyd to Yanceyville, W. R. Albright, of Alamance, went to Raleigh at Boyd's suggestion and told Holden that Boyd would tell all he knew about the Ku Klux. The result of the conference was that Kirk carried Boyd to Raleigh where he had a number of interviews with the governor. On the 17th, Holden wrote Kirk that Boyd was going to confess; and on the 19th Boyd was released upon his own bond in the sum of $50,000, and accepting a fee of $250 as counsel, agreed to work up evidence against the Ku Klux and make a public confession. He returned to Alamance and published a card the next day denying that he had made any revelation to the governor and stating that he had no knowledge to reveal. He then devoted his energies, according to his own account to securing evidence. On July 30th, the *Standard* contained a confession of membership in the Ku Klux signed by Boyd and fifteen others whom he had induced to join him. Tremendous excitement followed and several hundred young men hastily left the state for the Southwest, many of them never to return. Immediately upon the publication of his card, Boyd withdrew from the canvass.

His public confession revealed practically nothing that was of value to the administration. Its chief value was its effect upon the public mind. He was twice judicially examined in North Carolina and suffered badly at the hands of the lawyers who cross-examined him. His testimony makes highly interesting and enlightening reading. He was also examined by the Senate "outrage" committee in 1871, and in the minority report, signed by Senators Blair and Bayard, was harshly condemned. Both Blair and Bayard later on the floor of the Senate expressed their highly uncomplimentary opinion of him, one, it is needless to say, common to many in North Carolina at the time, and not wholly unknown to-day.

In the midst of the excitement caused by these events, Bedford Brown went to Washington to urge the President to interfere. Already the President had sent seven companies of regulars to the state who were heartily welcomed by law-abiding people who saw in them ultimate protection from the governor's desperadoes. With great unanimity, the officers condemned Kirk's methods and the governor's course. But Grant was as yet beyond reasonable influence and expressed to Brown his determination to uphold the governor. The Northern press, even the larger part of the republican newspapers, were bitterly hostile to the governor, the *Washington Star* expressing the prevailing sentiment in the following editorial:

> It is the fault of just such men as Holden that North Carolina is not soundly Republican today, if she is not. In no State of the South was there so large a Union element during the war and in no State was the work of reconstruction entered upon under more favorable auspices. As for Holden, he is simply a demagogue, trickster, and political desperado. A blatant secessionist when secession was uppermost, he is just the style of man now to persecute with rabid vindictiveness not only his secession neighbors, but all Republicans who oppose his oppressive reign.

The election came in the midst of it all and was a conservative victory. Shipp and five conservative candidates for Congress were successful and the legislature was overwhelmingly conservative, the Senate with a two-thirds majority.

The day of the carpet-bagger and the scalawag was over and the first step in the overthrow of Reconstruction was accomplished.

The next day Holden, who was writhing under the lash of Josiah Turner's editorial attacks in the *Sentinel*, ordered his arrest. Turner was taken from Hillsboro, which being in Orange was outside the zone of supposed insurrection, and carried finally to Yanceyville, where he was confined with a negro under sentence of death in a loathsome cell. Later he was imprisoned in the room in the courthouse in which Stephens had been murdered.

Upon their failure to obtain relief from the state courts, the counsel for the prisoners determined to apply to Judge Brooks of the Federal District Court. The petition was carried to him by M. W. Ransom who persuaded him of the fact of his having jurisdiction under the Fourteenth Amendment and a law passed by Congress a short time before. He accordingly issued the writ.

The news of his action came like a thunderclap to the governor and the other conspirators. Holden at once wired a protest to the President, expressing his determination not to yield. The following day Secretary Belknap sent in reply an opinion of the attorney-general advising the governor to respect the writ, and it was evident that the President had deserted him. Holden conferred with Kirk, ordered him to obey the chief justice's writs, and summoned Chief Justice Pearson to Raleigh to hear the cases. When court opened Kirk was present with the prisoners but the applications for the writ were all withdrawn. Bench warrants for a few of the prisoners were issued but all were soon discharged. In the meantime Judge Brooks held proceedings at chambers in Salisbury and Kirk also appeared there with his prisoners, all of whom upon motion were discharged over the protest of the governor's counsel who objected rather vehemently in spite of the fact that no evidence could be brought against any of them.

An attempt to prevent the payment of Kirk's men by means of an injunction against the treasurer and the paymaster, failed and, mustered out, they fled to the mountains, still committing acts of violence. Many efforts were made to secure the arrest of Kirk and Bergen but they were secretly released by Judge Bond of the United States Circuit Court and fled from the state. Both were later the recipients of Federal appointments.

In November, Governor Holden issued a proclamation declaring the insurrection in Alamance and Caswell at an end and with this action the Kirk-Holden war, as it has since been known, came to a close.

The election results were scarcely known to the public before an insistent demand for the impeachment of the governor began. Many also included the chief justice in their demand. When the legislature met, a flood of petitions for the impeachment of both were presented. They were alarmed and attempted to justify their action; the governor in his message, and the chief justice in a rather remarkable memorial, addressed to the Senate, which was rejected without being read.

The legislature was distinctly a body of young men. Seventy were under thirty, and of the remainder, the majority were under forty. Inexperienced, in the main, they were ably led and manifested such a genuine spirit of reform that by their action they assured the ascendancy of their party for the next quarter of a century. In the body were only four carpet-baggers, but twenty-two negroes found places.

Impeachment talk continued and it became apparent that public sentiment behind it was strong. Vance opposed it, advocating a compromise by which the republicans would consent to a constitutional convention and advocate the removal of his own disabilities. After the impeachment he said, "It was the longest hunt after the poorest hide that I ever saw." As time passed without action, the governor seems to have concluded that the conservatives were afraid of the consequences of impeachment, and the *Standard*, which still represented his opinions, said editorially:

> We have heard enough on this subject. We want acts after today. In the name of the people of North Carolina, who elected the governor and chief justice, we demand a trial at the bar of the Senate. Innocent or guilty, the matter has reached that point from which there is only one course to pursue and that is—give these men a trial—clear them if innocent and convict them if guilty. If the Democratic

party will not try these men, then we denounce the party as being more corrupt and dishonest than has been charged against the Republican party.

In December the conservative caucus of the House decided on impeachment and on December 9th, Frederick N. Strudwick, of Orange, introduced a resolution impeaching the governor. The chief justice expected impeachment and had engaged counsel but the influence of his old students, backed by a feeling that it would be unwise to make too clean a sweep, prevailed, and he thus escaped a fate he richly deserved.

The judiciary committee of the House reported the following resolution favorably which on December 14th was adopted by a vote of sixty to forty-six:

> That William W. Holden, Governor of the State of North Carolina, be impeached of high crimes and misdemeanors in office.

The next day F. N. Strudwick, W. P. Welch and Thomas Sparrow appeared before the bar of the Senate and impeached him formally. A board of managers, headed by Sparrow was chosen and William A. Graham, Thomas Bragg, and A. S. Merrimon were employed as counsel. Eight articles of impeachment, in substance as follows, were drawn up, adopted, and presented to the Senate.

> Article 1. Raising unlawful armed bodies of troops and causelessly declaring the county of Alamance in a state of insurrection, and afterwards unlawfully arresting eighty-two citizens of the county and unlawfully detaining them, when there was no insurrection and when the civil officers of the law were in the full exercise of all their functions.
>
> Article 2. The same as to Caswell county with the arrest of eighteen citizens.
>
> Article 3. Unlawfully arresting, in the county of Orange, Josiah Turner, Jr., and imprisoning him.
>
> Article 4. Unlawfully arresting and detaining in the county of Caswell, John Kerr and three other citizens.
>
> Article 5. Refusing to obey the writ of habeas corpus in the case of Adolphus G. Moore.
>
> Article 6. Refusing to obey the writ of habeas corpus in the case of John Kerr and eighteen other citizens of Caswell county.
>
> Article 7. Unlawfully recruiting a large body of troops from the State of North Carolina and the State of Tennessee and placing in command of them one Kirk and other desperate and lawless men from the State of Tennessee; unlawfully arresting and imprisoning John Kerr and many others; hanging by the neck William Patton,

Lucien H. Murray, and others; thrusting into a loathsome dungeon Josiah Turner, Jr., and F. A. Wiley, and without lawful authority making his warrant upon David A. Jenkins, Treasurer of the State, for $70,000 or more, to pay the said unlawful troops.

Article 8. Inciting and procuring the State Treasurer to disregard the injunction to restrain him from paying the sum of $80,000 or more of the public treasury for the unlawful purpose of paying his unlawful troops.

As soon as these were presented Lieutenant-Governor Caldwell withdrew and assumed the office of governor from which Holden automatically was removed until the conclusion of the trial. The chief justice took the chair and organized the court of impeachment. Holden was summoned and given thirty days to prepare an answer. The governor had as counsel, W. N. H. Smith, Edward Conigland, and Richard C. Badger, and on January 23d he submitted through them his answer to the articles of impeachment. To the first article, was presented an elaborate answer containing a copy of Governor Worth's protest at the time he retired from office, which was claimed to be indicative of the state's attitude towards the reconstructed government. Out of the protest, according to the answer, grew the later opposition to Holden's administration. The growth of the Ku Klux, the passage of a law against them, the governor's proclamation against them, and those declaring Alamance and Caswell counties in insurrection were then recited. It was denied that the persons arrested had been ill-treated, and constitutional authority was claimed for all the governor's acts. To the second article, was opposed the claim that all the persons were arrested upon probable cause. To the third article, it was denied that the arrest of Josiah Turner had been ordered elsewhere than in Alamance or Caswell, but it was admitted that orders had been given for his detention after arrest. The fourth article was answered as the first and second. In answer to the fifth, the suspension of the writ of habeas corpus was admitted, but the governor claimed that it was his intention to hold the prisoners only until they could with safety to the state be surrendered to the civil authorities, and he claimed constitutional and legal justification. The sixth article was answered similarly to the others. The answer to the seventh denied that the troops had been raised in Tennessee, but claimed that as within the governor's power. He denied that portion of the article relating to his drawing the money from the treasury. To the eighth article was submitted a denial and a demand for proof.

The next day the replication of the managers was presented. It consisted of a general denial of the governor's answer.

On January 30th, the managers asked leave to amend the eighth article and, after some objection by counsel for the governor, it was granted. But as this made a change necessary in the answer to that article, time was granted for that purpose. When the Senate re-convened, L. C. Edwards, of Granville, appeared and when he was called forward to be sworn, his right to sit on the trial was challenged by the counsel for the respondent. A long argument followed, but the chief justice decided that Senator Edwards was entitled to be sworn in as a member of the court. On the same day the final oath was taken by the Senate, and on the next day, the trial began.

In no state up to this time had a governor been impeached, and the case presented many points where a need of precedents was felt. Both sides relied extensively upon the reports of the impeachment trial of President Johnson, each interestingly enough from the other's previous viewpoint.

The trial began on February 2d and lasted until March 22d. The managers introduced 57 witnesses and the defense 113. The prosecution was able to prove beyond doubt the main contentions upon which the impeachment was based. The undisturbed exercise of jurisdiction by the courts in Alamance and Caswell was proved by many, and the statements of the articles as to the use of the troops, their illegal character, and the responsibility of the governor in their employment and payment were substantiated. The evidence also indicated that the governor had ordered Turner's arrest, but the defense had secured the removal of all the records of the telegraph office just before the trial, and they could not be used. Later evidence has proved that he ordered the arrest. The defense sought to show the existence of secret associations in Alamance and Caswell, having a common purpose to subvert the laws by threats, intimidation, acts of outrage, and murder; that they had committed many outrages in those counties, including six or seven murders; and that they exercised such an extensive control within those counties that witnesses could not be induced to testify or grand juries to present, in consequence of which the ordinary administration of the laws had become inadequate to protect life, liberty, property, and the public peace. This, he claimed, would be sufficient for the defense; that the secret societies existing for the purpose of resisting the government in the enforcement of the law were treasonable and that the act of June 29, 1870, the Shoffner act, gave the governor discretionary power in declaring a county in a state of insurrection and that therefore it was only necessary to show that the governor had acted in good faith to secure his acquittal. This latter argument met with great opposition from the board of managers who insisted that the act was unconstitutional and that the governor, under the constitution could never be irresponsible.

After argument of council the vote was taken. The result follows:

	Guilty			Not Guilty		
Article	Dem.	Rep.	Total	Dem.	Rep.	Total
1	30	0	30	6	13	19
2	32	0	32	4	13	17
3	36	1	37	0	12	12
4	33	0	33	3	13	16
5	36	4	40	0	9	9
6	36	5	41	0	8	8
7	36	0	36	0	13	13
8	36	0	36	0	13	13

The managers then asked for judgment and upon motion of John W. Graham, of Orange, the following resolution was adopted by a strict party vote:

THE STATE OF NORTH CAROLINA,
THE SENATE OF NORTH CAROLINA,
MARCH 22, 1871.
The State vs. William W. Holden

Whereas, The house of representatives of the State of North Carolina did, on the 26th day of December, 1870, exhibit to the senate articles of impeachment against William W. Holden, governor of North Carolina, and the said senate, after a full hearing and impartial trial, has, by the votes of two-thirds of the members present, this day determined that the said William W. Holden is guilty as charged in the 3d, 4th, 5th, 6th, 7th, and 8th of said articles:

Now, therefore, it is adjudged by the senate of North Carolina sitting as a court of impeachment, at their chamber in the city of Raleigh, that the said William W. Holden be removed from the office of governor and be disqualified to hold any office of honor, trust, or profit under the state of North Carolina.

The rights of the people of North Carolina had been vindicated and the second step in the overthrow of Reconstruction was accomplished.

CHAPTER IX

SOCIAL AND ECONOMIC CONDITIONS DURING RECONSTRUCTION

The close of the war found the state well-nigh prostrate. The people had been taxed to the limit during the war, the productive male population had in the main been engaged in the most unproductive of all occupations, the land had been ravaged by invading armies, crops in large areas had been destroyed by horses turned out to rest, vehicles had almost disappeared, fences were gone, often stables and other farm buildings, and even in some cases the dwellings, were destroyed, and ruin and decay were on every hand.

There was a tremendous shrinkage of live-stock and for a time after the close of the war there was a general seizure of mules and horses by the military authorities. The state was filled with agents hunting for cotton owned by the Confederate Government. But not only Confederate cotton was taken but thieving treasury agents seized a vast amount owned by individuals. What remained was taxed so heavily that North Carolina, not a cotton state, paid $1,959,704.87. The direct tax of 1861 was also collected to the amount of $394,847.63. In addition other property worth $200,000 was seized.

Every bank in the state through the repudiation of the war debt was forced into liquidation, the highest amount received by the stockholders being thirty-six cents on the dollar. New banks of course came very slowly and during reconstruction there were only six in the state, all of them national, with a combined capital of less than $1,000,000. Just as repudiation wrecked the banks, it destroyed many private fortunes and reduced thousands from comfort to extreme poverty. Business was at a standstill for lack of money and people were entirely unable to meet their obligations. Thousands, probably, went into bankruptcy.

To make conditions worse, bad crops were general. Those of 1865 were good, considering everything, but those of 1866 and 1867 were very small. The fact of loss and disturbance among the male population by itself would explain poor farming. But more than this the changed status of the chief agricultural laboring class and the further fact that probably a majority of that class were making their freedom evident to themselves by abstaining from work, aided and abetted by the Freedmen's Bureau, complicated the situation. Until Christmas, 1865, it was difficult to persuade the negroes to work on account of the "forty acres and a mule" myth which was carefully fostered by the bureau agents. That failing, things looked up and just as conditions were hopeful the passage of the reconstruction acts upset the negroes and conditions rapidly grew chaotic. In spite of the wreck following war, there had been high hope of better times to come and prospects had really seemed bright, but the congressional policy put an end to hope. The desired and hoped for immigration from the North and West did not materialize. Immigration of a sort did come. There were honorable exceptions of course, but for the most part such Northerners as did come were closely akin and bore a strong resemblance to vultures flocking to a feast. Under the guidance of these aliens, a situation developed which was not likely to attract desirable newcomers then and which has served as a check upon their coming in great numbers ever since.

The congressional policy of reconstruction, designed primarily to work a political revolution, also brought about a social and economic one. It is true that the war had done this to some extent, but there were evidences of an approaching adjustment in 1865 and 1866 which was prevented by the establishment of the military government. The effect of the whole system was to postpone for some time a settlement of the relations of the two races upon any basis that was acceptable to the white people. The negroes were separated from them in politics and in religion and a strong effort was made for political reasons, and with some success, to persuade the negroes that they had no interest in the prosperity of the white people. In consequence, labor conditions were unsettled during the whole period and combined with this, sufficient in itself to cause economic distress, there were bad seasons for several years. Short crops and the burden of taxes, which were largely paid by the land-holding class, made the industry of agriculture languish and, since the key to the whole economic situation of the state was to be found in agriculture, the industrial development which has since been so phenomenal having then scarcely begun, the situation could not have been much worse.

Other elements contributed to the distress of the state. Crime increased and public morals degenerated. Theft became so common that it was a menace to prosperity. Live stock was stolen until in some communities the raising of sheep and hogs was abandoned. Farm products of all sorts were taken to such an extent that the profits of a farm were often thereby swept away. This was partly due to the natural propensities of the negroes, intensified by their necessities, but they were also encouraged in it by white thieves who dealt largely in farm products purchased at night in small quantities with no questions asked. This evil assumed such proportions that the legislature of 1871 passed a law forbidding the purchase of such commodities after dark. That want was common among the negroes is well known, but it is not a matter of such common knowledge that among the white people there were many who scarcely knew from day to day from whence the next day's support would come and this in spite of the fact that every effort was made to find work that could be done. The war, which swept away so much property, in many cases did not leave the capability of making a living. That so many succeeded in acquiring that capacity argued well for the stock and bore good promise of future performances in the economic and industrial upbuilding of the commonwealth. It is interesting to see how helpless emancipation left both classes who were freed by it. The one which was really most benefited was the slower to realize it, but when once it saw the truth, ceased to bewail the lost shackles which had bound it to the institution of slavery and made haste to lend its aid in the process of dignifying labor. It was without doubt a bitter experience but that it was productive of good results is proved beyond all question by the facts of today. The negroes, on the other hand, were stimulated into an outburst of ecstasy at relief from the metaphorical chains of bondage, and, regarding liberty as inseparable from idleness, proceeded to put it to the test. It must be said for most of them, however, that, when undisturbed by political agitators or outside influences, their behavior was good. They, too, had a bitter lesson, but were prevented from learning it thoroughly by the siren voices of the carpet-baggers who assured them of the gratification of every desire when once they obtained the franchise and lifted their alien friends to profitable office. It took many years of experience before the mass of them discovered that their race had been employed as a step to help white men into office and that their activity in politics had won the displeasure of those who paid wages for labor and to whom, instinctively and in spite of slander and falsehood, they turned when in trouble. In the meantime, the morals of the race had degenerated, the opportunity of political instruction, and, of greater importance, political division, had passed, and the white man's party would have none of them.

From the presence of the negro in politics grew one of the greatest evils for which Reconstruction was responsible, namely, the inevitable blunting of the political moral sense of the white people. North Carolina, unprogressive as it was, had always a highly developed political sense and an equally high standard of political morality. The greatest shock of Reconstruction was the revelation of the depths to which politics could sink. But during these two years of radical misrule, when the ideals of the community were shattered, when an ignorant, inferior, and lately enslaved race, controlled by selfish and corrupt aliens, held the balance of power and, by combination with a small minority of the native whites, administered the government, then the practical necessities of the case overcame scrupulous notions of political morality, and a determination to rule by any methods possible possessed the mass of the white people and held them during the three following decades. That they were right is not to be doubted in the face of the facts, but it must nevertheless continue to be a cause of regret that such a thing was necessary to secure good government.

How far political and social conditions affected the economic interests of the state cannot be determined. That there was a close relation existing must of course be true. Wages were low, but probably would have been so under any government the state might have had. They fluctuated little during the period. Money was scarce and the usual plan in the country was to rent land to "croppers" on shares which varied in proportion to what the owner supplied. The plan was uncertain in its results but probably not so much so as was the hiring of hands with regular wages, for, in the latter case, there was little or no redress for an employer when his hands deserted him.

The years of the republican regime saw a steady decline in the value of most of the agricultural products of the state. The following table for the years from 1866 to 1870 inclusive, for corn, wheat, rye, oats, barley, buckwheat, potatoes, tobacco, and hay are illuminating.

TABLE

1866	$45,551,450
1867	38,332,716
1868	37,339,097
1869	33,138,770
1870	31,308,654

While the assessment was certainly low as always in North Carolina, the changes through most of the same period are a valuable index to conditions.

TABLE

Year	Land	Town lots	Live stock	Other Personalty
1867	$87,993,293	$9,654,973	Not available	Not available
1868	82,204,267	7,386,019	$20,052,456	Not available
1869	69,990,991	9,566,353	18,377,591	$27,536,688
1870	68,240,609	12,900,901	17,424,231	22,344,478

Upon this property taxes steadily increased.

TABLE

Year	Poll	Income	State tax on $100	Special taxes on $100
1866	$1.00	$1.00 to $3.00	.10	———
1867	.50	.50 to 1.00	.10	———
1868	.50	.50 to 1.00	.10	.05
1869	1.05	2.50	.35	.59
1870	1.10	1.50	.20	.1666

The chief burden of this taxation fell upon the conservatives not only because a majority of the white people belonged to that party, but also because they possessed the greater part of the wealth of the state. In addition, in many republican counties, property was assessed so as to bring about that result. This continued long after the conservatives obtained control of the state government.

As a result of these conditions much land, particularly that of large holders, was forced upon the market. A great deal was sold for taxes and still more to get rid of it. Prices were pitifully small. In 1869 twenty-three tracts, totalling 7,872 acres were sold in Wake for $7,718. In 1871, 25,000 acres in New Hanover and 133 Wilmington town lots brought $3,019.66.

It was not wonderful that as time passed there developed a steady exodus from the state, not nearly so large, but still comparable to that which had so alarmed forward-looking men prior to 1835.

So deep was the economic depression consequent upon Reconstruction that conservative victory in 1870 did little to remove it. In fact if anyone in North Carolina had a lingering belief in 1870 that conservative control of the state would mean prompt economic regeneration, it was soon dispelled. Undoubtedly there was more public confidence abroad in the land; the decline in the value of property ceased, but the state debt was still in existence; government, in spite of conservative retrenchment and economy, was still expensive; and poverty was still general. Labor conditions for a short while promised to be even more chaotic, thanks to the campaign which had been made among the negroes to imbue them with the belief that conservative success meant the restoration of slavery, but this fear was soon dispelled and, after being aroused again in 1872 and 1874, sank into a sleep from which it has never been entirely awakened, although the argument was employed with some effect by the republicans in 1875 and in 1884. It was used in every campaign until the passage in 1900 of the constitutional amendment which limited the suffrage.

The prostration of the state was too serious to be cured by a mere political change, important and necessary as that change was in this case. Good government was a necessary tonic, but years of care and struggle were inevitable before full economic health could be restored. The constitution which had greatly increased the cost of government remained unamended, the people fearing that a convention might mean Federal interference and in any event would be an immediate expense. Many preferred to endure the evils caused by it if only peace might prevail for a time.

The conservatives, once in power, began a policy of rigid economy. Salaries were reduced, better terms made for supplies furnished, and, during the first year, the expense of government was reduced by more than $100,000. Within the next few years, other reductions were made and the expenses of the state government were substantially reduced. In spite of the rigid economy practiced by the conservatives, their expenditures on state institutions steadily increased to the great benefit of the state.

Property values rose slowly during the whole period, accompanied by a fall in the rate of taxation, as can be seen from the tables.

As the state taxes fell the county taxes began to loom large. The most extravagant and worst governed were the "black" counties. In 1873 seventeen of these had a tax valuation of $39,714,222 on which were levied county taxes of $302,522.25.

In all the black counties there was not only extravagance but dishonesty, graft of every kind being general, and the public receiving little benefit. Nor were the black counties alone in this; it was true of most of the republican counties in the East. Bladen paid in the period between 1868 and 1876 more than $100,000 in county taxes. Both the sheriff and treasurer were defaulters and county orders were not worth ten cents on the dollar.

Business was prostrate and the credit of individuals suffered with that of the state because of the failure to make some settlement of the debt. It was clear that before prosperity could return that this must be done.

Towards the close of the period labor became more settled, but agricultural conditions were far from good. In industry, the manufacture of cotton was only beginning and had no appreciable effect upon the state as a whole. Tobacco culture and manufacture was of growing importance but it was the succeeding decades that was to see its tremendous expansion.

The closing years of the period saw more improvement along all lines. Life became more settled. Political animosities and those growing out of the war began to die away. The convention of 1875 accomplished a good deal in the way of reform; and good and, to North Carolina almost as important, cheap government was well established. All of these things tended to economic and social progress and improvement.

The crime of Reconstruction is today generally recognized by all who care to look facts squarely in the face. To a close observer of Southern conditions, the heinousness of the offense is increased by the knowledge that the South of the present time is still laboring under the burdens thereby imposed. It has made many a Southerner fail to comprehend the wonderful benefits which have really come to the South from emancipation, and it has drawn the sections apart when, with the barrier of slavery removed, they should have come together. So far as North Carolina was concerned, the partisan plan was one of greatest folly. But for Reconstruction, the state would today, so far as one can estimate human probabilities, be solidly republican. This was clearly evident in 1865, when the attempted restoration of President Johnson put public affairs in the hands of former whigs who then had no thought of joining in politics their old opponents, the democrats. So strong was the opposition to such a thing that it was eight years before there was an avowed democratic party in the state, the whigs who formed and led the conservative party having so decided a detestation for the very name. It was this element that the republican party rejected for the solid negro vote. The latter was soon lost, for the negroes in the mass, proving to be lacking in political capacity and knowledge, were driven, intimidated, bought, and sold, the playthings of politicians, until finally their very so-called right to vote became the sore spot of the body politic. Their participation in politics gave the democratic party the preponderance of the talent and character of the population and, for many years, a safe majority of the white voters. Coming into power as a result of the disgust of the people for the infamy of the republican administration of the government, the party remained in control of affairs because it proved itself fit to rule, and because there was no hope of decent government outside of it. From time to time it would either have been forced to a more progressive spirit, or would have lost control had the people been willing to trust the opposition. The result was that politics was embittered and freedom of political thought and action was restricted to such an extent that a condition of affairs existed that bore a striking resemblance to that of the fifties, when slavery stifled freedom of speech and thought, with the one difference that in the later case, the very preservation of good government was at stake.

CHAPTER X

THE END OF RECONSTRUCTION

Work as imperatively necessary as the impeachment confronted the legislature of 1870. Reform of the government in all departments, the checking of extravagance, the amendment of a sadly defective constitution, and the punishment of official criminals other than the governor remained to be done.

Accordingly, salaries were cut on all sides, those of the adjutant-general and the superintendent of public works being reduced to $300 which virtually destroyed the offices. To strike Ashley, the same thing was proposed for the superintendent of public instruction, but wiser counsel prevailed and the salary was reduced to $1,500. The per diem of members of the legislature was cut to $5 and the fees of county officers were greatly reduced.

The hated Shoffner act was repealed and accompanying this was an act forbidding the existence of secret political societies. Other legislation of importance followed. Contempt of court was defined and the power of the judges limited, residence in the township was required as a prerequisite for voting, judges were made strictly liable for refusal to grant and have executed the writ of habeas corpus, burglary and arson were made capital crimes, and the power of appointing state proxies and state directors for the institutions and companies in which the state had an interest was taken from the governor. Under the provisions of this last act the president of the Senate and the speaker of the House appointed full boards, and, the old boards declining to yield, suits were brought to determine the constitutionality of the law. In every case the Supreme Court decided in favor of the old boards on the ground that the legislature could not deprive the governor of any constitutional power.

The impeachment of a number of officials was publicly demanded, but the legislature rather wisely did not wish to cheapen impeachment even if deserved. Judge Watts probably escaped for this reason. Judge Jones, however, was certain of impeachment and only hastened it by making a brutal and murderous assault while drunk upon a negro strumpet in his room. He was indicted and before trial was impeached, only thirteen members, all of them republicans, voting against the resolution. The board of managers was headed by Samuel F. Phillips, the republican leader of the House. Jones was induced by party leaders to resign, but the governor refused to allow him to escape without the consent of the House, which, in order to avoid expense, withdrew the articles. The governor then accepted the resignation.

Abbott's term in the Senate was about to expire and the legislature was much interested in the choice of a successor. Many were mentioned for the place, but Vance most prominently. He was under disabilities but was confident of their removal and demanded the election. M. W. Ransom was his chief competitor and only Vance's great personal popularity won him the caucus nomination, and that only by a majority of two after twenty-seven ballots, and after he had pledged himself to resign if his disabilities were not removed. He was accordingly elected but was denied his seat and his disabilities were not removed. Abbott then laid claim to the seat on the remarkable ground that as Vance was banned, he as the recipient of the next highest vote was elected. The most interesting fact in connection with his claim was that he found two radical members of the Senate committee on elections to agree with him. As time passed and Vance did not resign, opposition to him came to the surface. Finally, a resolution requesting his resignation was introduced and debated at length in the conservative caucus and there defeated. Press demands of the same sort were frequent, and finally, he wrote a public letter claiming that his pledge to resign had been made to his friends alone. He was urged in

Washington by democratic senators to retire but still refused and thereby made many enemies.

Constitutional reform was a burning question, and a bill finally passed both houses, by a simple majority vote, submitting to the people the question of a convention which should be restricted by being forbidden to alter the homestead and personal property exemption clauses, to deprive colored persons of their rights, to compensate former owners of slaves, to recognize the war debt, to restore corporal punishment, to abolish public schools, to require an educational or property qualification for suffrage, to change the ratio between poll and property taxes, to pass ordinances of a legislative nature except concerning the public debt and to change in any way the mechanics and laborers' lien and the clauses denying the right of secession and declaring the paramount allegiance of every citizen due to the United States. All changes had to be ratified by the people. When the bill first came before the Senate, Lieutenant-Governor Caldwell claimed that a two-thirds vote was necessary because the constitution required that majority to call a convention. Precedents in the state were all on the other side when the question was to be referred to the people, and the Senate persisted. By the time the House passed the bill, Caldwell had succeeded Holden and in spite of a former recorded opinion on the other side, after a conference of republican leaders was held, backed by four of the five justices of the Supreme Court who laid aside established precedents for a party purpose and gave an opinion on the subject, he declined to call the election on the ground that the act was not law. The conservatives were deeply angered and at once repassed the bill, altering it so as to ignore the governor and direct the sheriffs to hold the election.

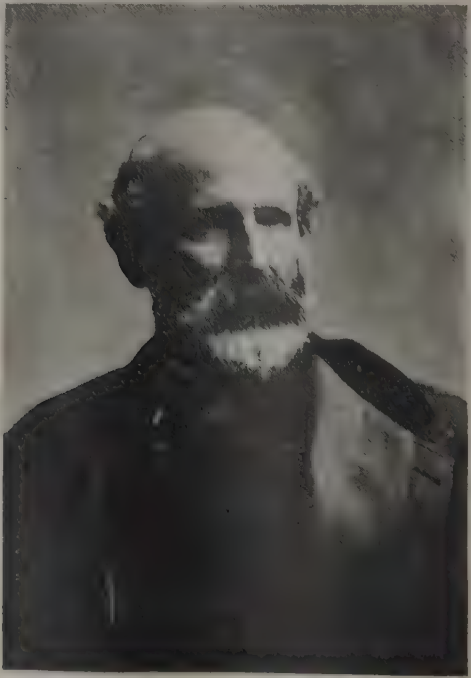
A furious campaign followed. Most of the important republican leaders in former years had taken the conservative position, but they now declared the act invalid, defended the existing constitution, and threatened a new reconstruction of the state if the constitution was tampered with. President Grant even sent Attorney-General Akerman down to give warning of this. A number of republicans, however, including Nathaniel Boyden, who had now succeeded Thomas Settle on the Supreme Court, favored the call. There was really every reason for a change and the conservatives continued to appeal to reason with perfectly sound arguments on the need of reform, and the necessity of economy, but the republicans beat the bushes with threats of a new reconstruction and warnings that the homestead would be lost, the colored people deprived of their new rights, and the state made bankrupt by the expense. Federal officials threatened violators of the revenue laws and those suspected of membership in the Ku Klux. Needless to say, the latter arguments were most effective, and the convention was defeated by more than 9,000 majority.

When the legislature met in the fall of 1871 amendment by legislative action was undertaken and a bill for that purpose received the necessary three-fifths of each house. It provided for striking out the provisions relating to the state debt, the township system, the state census, the code commission, the superintendent of public works, and for the reduction of the number of Superior and Supreme Court judges, for a biennial election of members of the legislature and biennial sessions with compensation of $300 for the entire term and 10 cents mileage, for placing county government in the hands of the legislature, and for a prohibition of holding a plurality of offices. The suggestions mentioned above were also included.

Much of the time of the session was given to the matter of the debt but no agreement could be reached, the views of the members being widely at variance. Some wanted flat repudiation and very few desired the payment of the whole debt.

Just before the close of the session, Vance, under great pressure and very unwillingly, resigned and Ransom was elected. Only then did the Senate committee report unfavorably upon Abbott's claim to the seat. A little later Vance's disabilities were removed.

In the meantime, the Ku Klux had once more come to the front. After their operations had ceased in the central part of the state, a period of activity began in several western counties, but chiefly in Cleveland and Rutherford. The Invisible Empire there had degenerated until it bore little resemblance to its original. It served to cover partisan political activity, private vengeance, sheer lawlessness without further motive, and, even in a number of cases, the activities of certain republicans in violation of the United States internal revenue laws in relation to the distillation of whiskey. One of these was for a time county chief of Rutherford. Three raids in Rutherford in 1871 attracted public attention, though



MATTHEW W. RANSOM

the most important—the whipping of Aaron Biggarstaff—was really part of a typical neighborhood feud. J. M. Justice, a republican lawyer and a member of the Legislature was whipped and ordered to abstain from politics, and the office of the Rutherford *Star*, a republican paper, was wrecked.

In December, 1870, President Grant, in reply to a Senate resolution, sent a message on the subject of the Ku Klux in North Carolina, accompanying it with a mass of documents.

A special committee was appointed and examined fifty-three witnesses, thirty-three of whom were republicans and twenty conservatives. A large part of the testimony was hearsay, but from it, or rather with it, the majority succeeded in producing a report which declared the existence of the Ku Klux organization, composed of democrats, with a political purpose which it carried out by violence, at the same time protecting its members from punishment by secrecy and perjury, and that, in consequence, the authorities of the state were unable to secure to its citizens life, liberty, and the pursuit of happiness. The minority framed a strong dissenting report in which they denounced the investigation as a conspiracy to restore republican rule in North Carolina—which in a sense it was—after it had been repudiated by the people. They did not deny the existence of the Ku Klux organizations but declared them a natural result of Reconstruction.

On March 23, 1871, the President sent a message to Congress on the subject of the Ku Klux and in response to his recommendation an act to enforce the provisions of the Fourteenth Amendment became law in April. This act, in which, as Professor Burgess says, "Congress simply threw to the winds the constitutional distribution of powers between the states and the United States Government in respect to civil liberty, crime and punishment," ignored the fact that the Fourteenth Amendment gave Congress power only against state action, and provided for the arrest, trial, and punishment of individuals by the Federal courts, and made all persons depriving another of rights under the Constitution liable to the party injured in heavy damages. It prescribed penalties for conspiring against the United States or for the hindrance of any of its laws. Penalties were imposed for going upon the highways in disguise with the intent to hinder anyone in the exercise of rights guaranteed by the Constitution. The President was authorized to take such measures as he might deem best to suppress the trouble, and was given power, when the civil authority was powerless to perform its functions, to proclaim any portion of a state or the entire state in a condition of insurrection and to suspend the writ of habeas corpus.

Before the passage of this act, a joint committee was appointed and began a prolonged investigation designed to furnish campaign material for the republican party. The results of the investigation were reported to the next session of Congress in thirteen volumes. Of it, William Garrott Brown says, "From these volumes, he who lives long enough to read it all, may learn much that is true, but not important; much that is important, if true; and somewhat that is both true and important." Nineteen witnesses were examined for North Carolina, of whom nine were republicans, including three carpet-baggers and two negroes. The most notable witness was William L. Saunders, head of the Invisible Empire, who appeared before the committee and declined to answer any question relating to the Ku Klux. He was bullied and threatened, but stood steadfast and quietly defiant until the end, when he was dismissed without any action being taken against him, though his case was referred to the Senate for action.

In North Carolina Judge Logan had become greatly excited and had asked the President for Federal soldiers. The answer had naturally been that any such request must come from the governor. After the Biggarstaff affair, at his request, the governor obtained Federal troops. When the Justice raid occurred he declined to hold court in Cleveland County, although the sheriff came for him with an escort and the solicitor, W. P. Bynum, also a republican, assured him there was no danger. A short time later, recovering from his fears in most suspicious haste, he began to issue bench warrants upon suspicion, and a large number of persons were arrested and confined in jail and denied trial or bail. With the passage of the Ku Klux act by Congress the United States deputy marshals became active and over one hundred persons were arrested by them, many without warrant, a number imprisoned without hearing or bail, and the rest examined before Nathan Scoggins, the United States commissioner, a recent republican acquisition and a man of evil life and character. That he was later removed from office for accepting bribes proves this, for bribe-taking in itself by a Federal official in North

Carolina in the '70s carried no stigma. It was regarded merely as a customary and accepted prerequisite of office.

The officer most active in making arrests was Joseph G. Hester, another person of ill-fame, who was later to become notorious for his activities in Alabama. Like Scoggins, he had been a Ku Klux. Every possible indignity was heaped upon the prisoners who were almost starved in filthy prisons. Twenty-two were kept in jail and seventy-one bound over to court. Judge Bond of the United States Circuit Court refused to try them in June because he wanted a packed jury. This was secured through Samuel F. Phillips, now assistant district attorney, and the prisoners were tried at Raleigh in September. Forty persons were indicted for participation in the Justice and Biggarstaff raids. The indictments of eight were dropped, eleven were acquitted, twenty-seven were convicted, and the cases of the others continued. The cases, through the partisan activity of the governor, Judge Bond, who presided, and Samuel F. Phillips, who prosecuted, assumed a political character. The chief efforts of the prosecution were directed to securing the conviction of Randolph Shotwell who, as an editor in Asheville and in Rutherfordton, had been a source of much discomfort to the republicans. When it is remembered that criticism of the republican party was announced by S. F. Phillips in the trial to be an attack upon the United States Government, it can readily be seen that to secure Shotwell's removal from political life was in the eyes of the prosecution an act of the highest patriotism and altogether proper for "loyal" men. Shotwell was county chief of the Ku Klux in Rutherford County, having assumed the position at the request of a number of leading men in the hope of checking the movement. He had never been on a raid or ordered one and had sought to prevent the raid on Justice and on the *Star* office, but had been utterly unable to control the men, many of them entirely unknown to him, who were bent upon carrying out their plan. Most of his witnesses were out of the state and he knew that any others he might summon would at once be made parties defendant in the same case. Many of those who were tried upon the same indictment were seen by him then for the first time. Relying upon his innocence, he stood his trial without much fear of conviction. The false evidence against him had been carefully prepared, and, upon it, he was convicted and sentenced to a fine of $5,000 and six years' imprisonment in Albany. As soon as sentence was passed upon him, he was tied with ropes in the presence of the court and carried in that condition through the streets of Raleigh, not because there was any fear of his escape, but simply to humiliate him and for the effect it would have upon the public. He was repeatedly offered pardon if he would implicate any leading conservative, but he of course refused and remained in prison for three years, at the end of which time he was pardoned.

In the meantime, in preparation for the elections of 1872, the operations of the deputy marshals, more lawless still by far than those of the Ku Klux and more dangerous to the spirit of free institutions, continued without cessation. Arrest without warrant, imprisonment without a hearing and with bail denied, were characteristic of their activities. D. S. Ramsour, a student at Wake Forest College, was arrested while attending a meeting of his literary society and dragged out forcibly, not because the time was particularly suitable, but because the officers had waited, knowing that it would attract attention and increase fear. Josiah Turner, who was an attorney at law, advised several persons, arrested without warrant and without cause, to indict the marshal. He was at once arrested on charge of obstructing the officers of the law in the discharge of their duties, and, through the efforts of republican politicians, notably S. F. Phillips, his trial was refused for several years. Dr. Brinton Smith, a Northern clergyman who was at the head of a negro school in Raleigh, was indicted for conspiracy under the Ku Klux Act because he told one of his students who was under age that he was not entitled to vote. The case was dismissed a year later without trial. Against many Ku Klux in the West were indictments for violation of the internal revenue laws. These were dismissed if a promise was made to give evidence against the Ku Klux. W. F. Henderson, the assessor of internal revenue, offered freedom to anyone who would give evidence implicating J. M. Leach, who in 1870, had defeated him for

Congress. Hundreds of persons were imprisoned at one time or another, many of whom were treated with great cruelty, and all the safeguards of liberty disappeared. The Federal courts became instruments of oppression and wrong and have never since been popular in the state. The chief purpose of it all was political, although the officers reaped a rich harvest from fees and from the bribes which they did not refuse, provided always that they were large enough. In pursuance of the plan, when the fears of the public had been sufficiently aroused, there came the promise of immunity on condition of support of the republican ticket at the next election. At the spring term of the Federal court in Raleigh in 1872, over fourteen hundred persons were indicted under the Ku Klux Act, of whom only six were tried. Between that time and the election, the activity of the officers continued. As soon as the campaign was over, the arrests stopped, and in February, 1873, the United States marshal ordered the suspension of the processes. During 1873, all the prisoners in Albany were pardoned. The Ku Klux organization had long since disappeared never to reappear, but the republicans made its existence an issue in many campaigns thereafter and skillfully attempted to intimidate by threats of renewed Federal activity.

The campaign of 1872 was made interesting not only by the desire of the conservatives to complete the redemption of the state, but also by the fact that North Carolina was the first state to hold a state election and was thus for once of great importance in a national election. Throughout the campaign the state was full of party leaders of both sides from all over the Union, including two members of the cabinet.

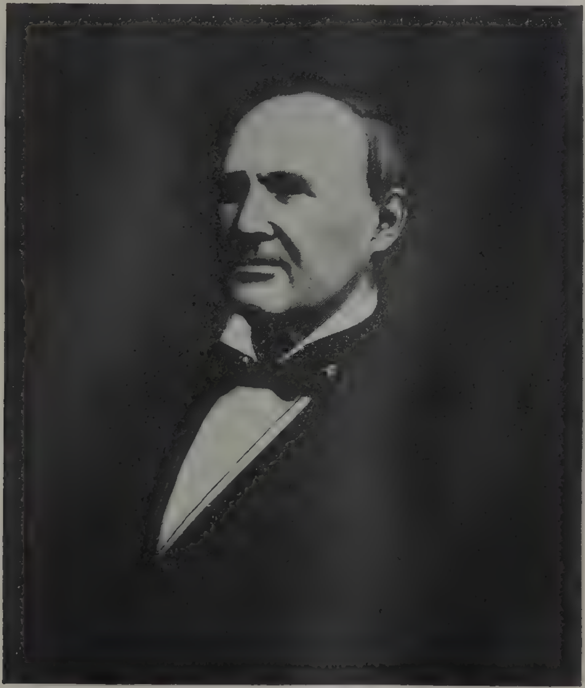
The republicans nominated Governor Caldwell over Thomas Settle who was the candidate of the Holden wing of the party and who also had the backing of the President. The republican convention and the campaign were notable for the activity of Federal office-holders who were henceforth until 1912, with two brief intervals to control the destinies of the party. The platform denounced the Ku Klux and the proposed constitutional amendments and declared for general amnesty.

The conservatives had a difficult time finding a candidate. The leaders and the people alike wanted Vance who, however, declined to run, doubtless aware of what sort of methods would be used against him, and also because he wanted to be elected to the United States Senate by the coming legislature. Finally A. S. Merrimon was urged to take the nomination. Unwilling, he was told that it was a party necessity and was promised that if defeated he should succeed Pool in the Senate. He then accepted and was nominated.

A joint canvass was arranged but Caldwell was no match for Merrimon on the stump, and after one speech he declined to continue it. The conservative campaign went swimmingly in spite of a lack of warmth at the democratic endorsement of Greeley for President. But the republicans were furnished almost unlimited funds and the officials of the departments of justice and of the treasury, vastly increased in number for the purpose, were very active. Probably there was never in any other state such wholesale political activity and interference by Federal officials, with the full approval of the administration, as marked this campaign in North Carolina. United States commissioners issued blank warrants to deputy marshals who used them for campaign purposes or for blackmail. Just before election three thousand persons were under arrest by the Federal authorities and most of them were promised complete immunity if they voted right. The expenses of the Federal Court jumped from about $5,000 for the year to $250,000. Bribery and intimidation were relied on in the west where illicit distilling and the Ku Klux gave pretexts. In the East, reliance was placed on the heavy negro vote, and, in order to strengthen this negroes were imported into the state in large numbers just before the election from adjoining states. Nine hundred were also sent from Washington, a majority of whom were in the Government employ.

These things all had their effect, and, while Merrimon's election seemed assured at first, after a week of doubt, due to the holding back of returns in a number of republican counties, it was apparent that on the face of the returns Caldwell had a majority of about 1,900. The conservatives, however, again carried the legislature.

With the loss of the state ticket, the conservatives lost heart and Grant carried the state in November by a majority of almost twenty-five thousand, the conservatives electing five and the republicans three members of Congress.



Augustus S. Merrimon

Much interest was aroused in the senatorial election. Although Merrimon had been promised the seat by the party leaders, Vance was a candidate and by a persistent campaign had succeeded in pledging a majority of the conservative members before the legislature met. A number who favored Merrimon therefore refused to regard the caucus nomination as binding. The republicans, in the meantime made the offer that if Pool were re-elected Federal amnesty for the Ku Klux would be proclaimed and liberal appropriations would be made for internal improvements in the state. Threats of the arrest of members of the legislature were also made as an inducement.

When the election came eighteen conservatives, in spite of the caucus nomination, voted for Merrimon. A deadlock ensued and after six days Vance and Merrimon both withdrew with the understanding that a third person should be chosen. The conservative caucus met and again nominated Vance, and on the next day the republicans, abandoning Pool, voted solidly for Merrimon, who, still supported by the bolters, was elected. The conservatives were very angry and the elated republicans sought to promote discord by an effort to create the impression that Merrimon had been bought and would act with the republicans. Merrimon, who had been entirely unaware of the plan, by his course in the Senate, soon dispelled any doubt as to his fealty to his own party.

The bill for the amendment of the constitution, passed by the preceding session, came up and was divided into separate bills, eight of which were adopted. Those passed provided for striking out the clause requiring the legislature to levy a tax to pay interest on the public debt, for omitting the census, for abolishing the code commission and the office of superintendent of public works, for placing the trustees of the University under the legislature, for extending the $300 exemption to all property, for making Federal and state officers ineligible to the legislature, and for biennial sessions of the legislature. They were then submitted to the people and ratified at a special election in August. A bill was passed extending amnesty to any person who had committed any crime except rape, deliberate and wilful murder, arson, or burglary, while a member of the Heroes of America, Loyal Union League, Red Strings, Constitutional Union Guard, White Brotherhood, Invisible Empire, Ku Klux Klan, North Carolina State Troops, North Carolina Militia, Jay Hawkers, or any other association, whether secret, political, or otherwise, in obedience to the commands and decrees of such organization, provided the offense was committed prior to September 1, 1871. The first of a large number of attempts to relieve Holden of the disability imposed by the judgment of the court of impeachment was unsuccessful.

In 1874 the conservatives again carried the state with large majorities, electing a two-thirds majority in both houses of the legislature, the superintendent of public instruction, five of the eight judges chosen, seven members of Congress and nine solicitors.

The Senate of 1874

The legislature was chiefly notable for its passage of a bill calling a constitutional convention. Few conservatives had differed as to the need of one, but there was much doubt as to its expediency and widespread fear of Federal interference. There was also fear that the homestead provision might in some way be eliminated in spite of restrictions. Party leaders in Washington, through Ransom, advised against it. But the state leaders in the main were determined to have one called and after President Grant had assured a member of the legislature that he would not interfere, the bill was passed, largely through the work of William L. Saunders, editor of the *Wilmington Journal,* who divides with Josiah Turner the honor of redeeming the State.

The convention was restricted as follows: The oath required for the members upon organization and the act itself prohibited any interference with the homestead provision, the laborers' and mechanics' lien, the rights of married women, the ratio between poll and property taxes, any provision for compensation for slaves, for paying the war debt, for restoring imprisonment for debt, for educational or property qualifications for voting, and for vacating any office before its term expired. It was also forbidden to pass any ordinance of a legislative nature except for submitting its work to the people for ratification.

With the passage of the convention bill the conservatives began to see the end of the long struggle for supremacy and for reform. So confident were they of complete victory that they relaxed their vigilance with rather disastrous results. The adjournment of the legislature was the signal for the campaign to commence, and in it the republicans, quietly, but none the less effectively, proved that the party in North Carolina was neither dead nor sleeping.

The republicans immediately took a stand against the convention. The final policy of the party was summed up in a pledge made by a majority of its candidates to adjourn as soon as the convention was organized. This was opposed by two such notable men as Chief Justice Pearson and Judge Rodman, the latter himself an independent candidate for the convention.

The republicans devoted most of their time to condemnation of the legislature for calling a convention and to painting lurid pictures of what the conservatives would do if they secured a majority. The party, however, was divided upon the question, and a number of prominent members were frankly in favor of the convention.

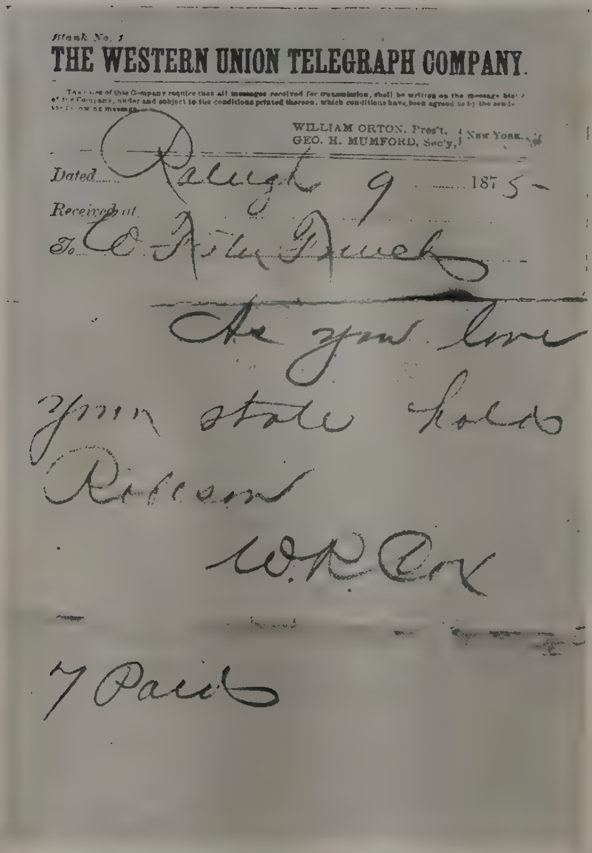
Every effort was made to frighten the people into giving a republican majority. The press gave daily assurance that, if the conservatives controlled the convention, it would levy a tax to pay for the slaves; that townships would be abolished and county courts restored; that Jefferson Davis would be made president of the University with a salary of $10,000; that the public schools would be abolished; and even that there was grave danger of secession. The Raleigh *Constitution* summarized the chief arguments against the convention as follows:

Convention means Revolution.
Convention means the Whipping Post and Pillory.
Convention means Imprisonment for Debt.
Convention means War.
Convention means Apprentice laws, which is one of the worst features of Slavery.
Convention means Ruin.
Convention means poll-tax qualification for voting.

The conservatives injected the negro question into the campaign with considerable effect. The increasing claims of the negroes had attracted unfavorable notice and in several districts almost all of the Federal officers were negroes. In the East there were also many negro county officers.

The conservatives were so certain of success that the rank and file were apathetic. The election was quiet and for many days thereafter the result was in doubt, both sides, alternately claiming a majority. In Robeson County there was a contest. On the day of election William R. Cox, the conservative state chairman had telegraphed "As you love the State hold Robeson." There indeed was the pivotal point. The conservative candidates received certificates of election, but the republican candidates sued for a mandamus. Judge Settle, before whom the case was argued, ruled himself without jurisdiction and the question was left for the convention to settle and its organization was therefore of vital importance to each side.

The final returns showed that the election had been closer than any other in the history of the state, the total vote of conservative candidates being 95,037, while that of the republican candidates was 95,191. The race issue was intensified



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THE WESTERN UNION TELEGRAPH COMPANY.

WILLIAM ORTON, Pres't, GEO. H. MUMFORD, Sec'y, New York.

Dated Raleigh 9 1875

Received at

To C. Foster French

As you love your state hold Robeson

W. R. Cox

7 Paid

W. R. Cox's Famous Telegram to Robeson County in 1875 by the fact that the negroes voted solidly against the convention. As a result the conservative policy entered upon a new era which is best described in the following editorial notice:

> This paper in the future is in favor of drawing the line between the white and black regardless of the consequences. Let the line be drawn. Are you in favor of the white man's government? This will be the only question in the future.
>
> Let the watchword be hereafter—Stick to your color! It is useless to attempt to reason with ignorant negroes. The election clearly demonstrates that fact.

The convention met on September 5th. A conservative member, William A. Graham, had died since election and there were present fifty-eight conservatives, the same number of republicans, and three independents. When the delegates were sworn in, objections were raised in the case of those from Robeson. Judge Settle, who called the convention to order, then directed them to stand aside, whereupon objection was at once made to six others, five of whom were republicans, and all were made to stand aside. At the close of the roll, however, all were sworn in.

The test of strength came with the election of a presiding officer. The republicans nominated Oliver H. Dockery and the conservatives shrewdly nominated Edward Ransom, formerly a republican, but at the time an independent with visible leanings toward the conservative party. He declined but was voted for. The other independents divided and there was a deadlock. After thirteen ballots Ransom broke this by voting for himself and was elected. A resolution to adjourn *sine die* was then defeated by the narrow margin of two votes and throughout the entire session the margin was so close that no conservative dared leave the hall a moment without being paired, for fear the republicans would carry out their plan.

The convention was in session thirty-one days and because of the close division the conservatives were able to make only a few changes, thirty in all out of a much larger number proposed. Sixteen were adopted unanimously and only four by a strict party vote. As this unanimity would indicate, the changes were all important. In brief they follow:

In the Bill of Rights, a new clause authorized the legislature to forbid the carrying of concealed weapons. Another declared secret political societies dangerous to the liberties of a free people, and that they should not be tolerated.

In the legislative department, some changes were made. The time of meeting was changed from the third Monday in November to the first Monday in January. The apportionment of each house was stricken out. The terms of the members were made to begin at the time of election and the per diem was fixed at $4 for a period not to exceed sixty days and the mileage was fixed at 10 cents. In the event of an extra session, compensation could continue for twenty days only.

Very small changes were made in the executive department, the direction to the legislature to establish a department of agriculture and statistics being the most important.

Quite a number of important changes were made in the judicial department. The number of Supreme Court justices was reduced from five to three and of Superior Court judges from twelve to nine. All were to be chosen by the people on a general ticket for a term of eight years, but it was left within the power of the legislature to return to election by district and to increase the number of districts and judges. The principle of rotation of the judges was adopted. The legislature was given power to alter and distribute the judicial power among the courts inferior to the Supreme Court, and to provide for election of judges. In this way control of the justices of the peace was gained by the legislature. It was also provided that any judge might be removed from office by a two-thirds vote of both houses of the legislature for mental or physical incapacity.

Under the head of suffrage and eligibility to office, the residence required for voting in any county was changed from sixty to ninety days. All persons convicted of a felony or infamous crime were debarred.

Other important changes were those giving the General Assembly full power over county government, including justices of the peace, setting aside for the school fund the proceeds from all fines and forfeitures, giving authority to the state government to farm out convicts, providing that a call for a constitutional convention must be submitted to the people, while amendment by the legislature was simplified by a provision that it might be done without the concurrence of the succeeding legislature. Marriage between a white person and a negro to the third generation inclusive was prohibited, and separate schools for the races were required. It was also provided that none of the amendments adopted should have the effect of vacating any office.

Probably the most important change, judged by results, was that which gave the legislature control of county government. It caused undoubtedly great injury to the principle of local self-government but it also carried hope and light into the darkness of the black counties.

Constitutional reform secured, the conservatives turned their attention to the state officers and with 1876 came the final redemption of the state after a campaign never equalled in the state in its spirit and vivid interest. The democrats, as the conservatives now frankly called themselves, nominated Vance for governor and Thomas J. Jarvis for lieutenant-governor. The republicans, encouraged by their gain, as shown in the election of delegates to the convention, prepared for a vigorous campaign. Once more the carpet-baggers were prominent in party affairs. This is to be explained, not by their having regained the love of their fellow republicans but by the fact that the party machinery was in the hands of Federal office-holders, where it was to continue for many years, and carpet-baggers were particularly favored by the Federal government. As proof of this the following facts are interesting. Two of the internal revenue collectors, ten of the thirty-six deputy collectors, seven of the forty-seven gaugers, nine of the one hundred storekeepers, two of the four registers in bankruptcy, thirteen of the thirty United States commissioners, one marshal, the postmaster at Wilmington, the postmaster at Goldsboro, and the pension agent at Raleigh were carpet-baggers. The republican executive committee in 1876 had a carpet-bagger for chairman and eight of the members were office-holders, most of them in the Federal service, and the other four had recently been so. The presence of the negroes is partially to be explained by a marked race division in the party caused in part by a growing recognition among the white republicans of what negro rule meant, and in part by a growing demand of the negroes for office for themselves since they furnished the votes.

The convention unanimously nominated Thomas Settle, who was Grant's candidate, Oliver H. Dockery, who had been a prominent candidate, having bowed to the inevitable and withdrawn. W. A. Smith was selected for lieutenant-governor.

In the campaign the race issue was dominant, the democrats finding it an effective reply to the "bloody shirt" waving of the republicans. That it was a real issue as well is indicated by the large number of negroes nominated for office in the East and the control of public affairs already exerted by them there with consequent misgovernment and corruption.

Between Vance and Settle a joint debate was arranged, and together they canvassed a large part of the state, speaking in sixty-four counties before they separated to continue the campaign alone. In this latter part each made twelve speeches. It was Vance's first campaign since his enviable record as war governor had been made, and the people poured out in immense throngs to hear him.

Many of Vance's friends feared that he would have a difficult time on the stump with Settle who was an opponent worthy of him in character, ability, and charm of personality. But this was not the case. Settle undoubtedly forced him to put forward the best that was in him and often the reasoning element of Vance's friends were disappointed in his speeches, but there could be no question of his success with the people. As a popular orator and debater there had never been his equal before in North Carolina, and Aycock, since, has alone approached him. Settle was magnetic, eloquent and a powerful debater, but he was at a disadvantage throughout the campaign on account of Vance's personal popularity, and because a majority of the white people of the state were intensely aroused against the republican party. Occasionally there were heated moments, neither losing any opportunity to attempt to put his opponent on the defensive or to make him lose his temper, but the debate in the main was on a high plane and echoes of it can still be heard in the state. It marked a return to the political methods of an older and better day and it was a hopeful and healthy sign that such a campaign could be conducted and, better still, that its spirit, generally speaking, should have been so admirable. At the end of it, the two competitors parted as warm friends, and each had won new laurels. The debates were powerful and instructive in spite of the constant references to each other's record. Not only state issues were discussed but national questions were debated at length.

The election was a complete victory for the democrats who elected state and national tickets, every candidate for Congress but one, and carried the legislature with a large majority. The cause of peace, order, and good government had triumphed. Righteousness, by righteous methods, had at last prevailed and Reconstruction in North Carolina was ended.

CHAPTER XI

REBUILDING THE COMMONWEALTH

The redemption of the state brought relief and delight to the majority of white people in North Carolina. At last they felt decent, effective, responsible government was secure. With the amendments proposed by the convention of 1875 safely ratified, succor could be given the sorely tried East, and peace and prosperity would once more come to the state. Along with this feeling came the determination to prevent at any cost the possibility of a repetition of what the state had endured in the recent past.

The legislature was composed as follows:

	Senate	House
Democrats	40	84
Republicans	10	36

Among the republicans were about a dozen negroes and one carpet-bagger, not enough to exert any control even over the action of their helpless minority, but serving nevertheless as a constant warning to the state of what might happen if the democrats grew lax.

Vance was inaugurated amidst the most intense enthusiasm. His inaugural, which began "There is retribution in history," was an address worthy of him, fine in form, content, and spirit, notable for its pledge to the negroes of freedom and opportunity, and in all respects progressive and liberal.

The most important work before the legislature was felt to be the carrying out of the party pledge to adopt some new system of county government, and at once the question was taken up and a new law passed. By its provisions, townships were deprived of any corporate powers, the regular county officers were still to be chosen by the people, but the magistrates, who were to be chosen by the legislature, were given the power to select the county commissioners. The powers of the latter were also limited by requiring the concurrence of the magistrates to many of their more important acts. This assured white government in black counties and this was of course the primary and justifiable reason for its passage. But it also assured democratic control of white counties which were republican, and thus violated every principle of local self-government. It became a sore spot in state politics and after being an important issue for years, played no inconsiderable part in the overthrow of the democratic party.

The next most pressing matter was that of the debt. The holders of the state bonds, particularly those owning bonds issued before the war, were very active during the session of the legislature, urging that some definite action be taken. North Carolinians felt sensitive on the subject and desired some settlement, but there was a fixed resolve not to pay the special tax bonds, and this made it difficult to secure any plan of settlement of the valid debt. A special committee, chosen to report on the debt, recommended that no action be taken at the time, but that a commission be formed to report a plan to the next legislature. Accordingly provision was made for the appointment of a commission consisting of the governor, treasurer, and attorney-general to investigate the situation.

Most of the important work of the legislature requires no extensive notice. Ransom was re-elected to the Senate over O. H. Dockery. A new and excellent election law was passed. The speedy completion of the Western North Carolina Railroad was felt to be a necessity and provision was made for the use of convicts on the work. A state guard was authorized, a state board of health organized, a department of agriculture, immigration, and statistics established, the last largely supported by the inspection tax on fertilizer sold in the state. In education a new and improved school law was passed and provision was made for normal schools for both races. An insane asylum for negroes was established at Goldsboro and provision made for the completion of the

Western Hospital at Morganton. Confederate pensions were foreshadowed in an act providing for the payment of $50 to every Confederate soldier who had lost his eye-sight in service.

Politically, the chief interest in 1877 lay in the attempts to organize the so-called ''Hayes Democracy'' in the state through the use of Federal patronage. Democrats of course opposed it and were successful in preserving party solidarity. Republican opinion was divided. They desired of course to weaken the majority, but the giving away to democrats of offices which republicans might fill was another matter. The party was not in good circumstances. Factions still prevailed and there was serious friction between the Federal office-holding group and the others aspiring to control, and between carpet-baggers and natives, O. H. Dockery being the leader of the latter group. Throughout his long political career in North Carolina, although he was a man of high character and excellent ability, he never was strong with his party because he uniformly, sometimes at great personal sacrifice, opposed the machine.

The heaviest burden which the republicans had to carry was the situation in the Western Judicial District in the Federal service. The beginning of political activity of the deputy marshals and revenue officers in the state, notably in the west, was coincident with Reconstruction and lasted without interruption for nearly two decades. No more infamous story disgraces the history of the state than that of their bribery, corruption, violence, and intimidation. That they had a difficult task is not to be denied. The violation of the revenue laws was constant and often upheld by public sentiment. The sixth collection district of North Carolina embraced all the state west of Salisbury, some thirty-four counties in all. Two-thirds of these were mountainous with poor roads and little opportunity for communication and trade with the outside world. From the time of settlement the people of this region had been in the habit of marketing the larger part of their surplus grain and fruit in the form of distilled liquors, and almost every house had its small still which was used, as a rule, for only a few weeks each year. When at the close of the war, the enforcement of the United States internal revenue laws began, it worked a great and genuine hardship. Out of contact with the world, the people regarded the laws as a punishment for participation in the war, and the fact that most of the revenue agents were strangers from the North served only to increase this feeling which was strengthened further by the violence and harshness of the officials in the enforcement of the law. Men of the type of Joseph G. Hester, who was a special agent in 1877, violent, vicious, and utterly false and corrupt, set the standards and gave the service its tone.

Among the deputy marshals and revenue officers there finally developed a system of hunting for people to arrest and even manufacturing offenses, since fees and blackmail were both profitable. Deputy marshals carried signed blank warrants and used them at will. Often they were drunk and frequently violent, not only to those accused or suspected of crime, but even to men and women against whom there was not a breath of suspicion. Finally the practice grew so bad that Judge Dick was compelled to issue orders that deputy marshals should not seek processes themselves, but only execute those which were put into their hands. He also ordered that process should issue only upon the application of the collector or of someone who had informed the collector of the violation of the law.

In 1876 amnesty was declared for all offenses against the revenue laws and blockading grew less and licensed distilleries increased until by 1881 there were fourteen hundred in the state, some eight hundred of which were in the Sixth District. The number of agents and other officials increased steadily as did expenses. It was a well recognized fact that fraud was common and that distillers and tobacco manufacturers were often in collusion with revenue officials. These facts, combined with the unceasing political activity of the officials caused the whole system to be bitterly disliked in the state. The wide-spread hostility found frequent expression in planks of political platforms and resolutions of the legislature. Of the latter, that of the legislature of 1881 is typical.

> The present system of internal revenue laws is oppressive and inquisitorial, centralizing in its tendencies and inconsistent with the genius of a free people, legalizing unequal, expensive, and iniquitous taxation, and, as enforced in this state, is a fraud upon the sacred rights of our people and subversive of honest government, prostituted in many instances to a system of political patronage which is odious and outrageous, corrupting public virtue and jeopardizing public liberty, and sustained by intimidation and bribery on the part of revenue officials to debauch the elective franchise.

These things would serve of themselves to explain the dislike of the system prevalent in the state. To them, however, was added another serious related question—that of divided jurisdiction in criminal cases. This served to intensify feeling in the state and attract the notice of many who were uninterested in matters concerning the internal revenue service. At the fall term of Guilford Superior Court in 1876, one Hoskins and two others were indicted for assault and battery. When in March, 1877, they were arrested, they carried the matter to the United States Circuit Court and secured a removal on the ground that they were revenue officers and that the acts charged were done under color of their office. When the case was called in the state court, they plead a lack of jurisdiction and Judge Cox upheld them. It was a clear case of assault and battery disconnected with their official duties and the state appealed, but the Supreme Court, properly enough in view of the law, sustained the lower court, Judge Rodman alone dissenting. Judge Reade wrote the opinion, prefacing it with this sneering allusion to the argument of counsel. "There was much discussion before us upon the trite subjects of 'State rights' and 'Federal powers,' which used to divide politicians and statesmen, but we have no purpose to ally the Court with either school." The same question was presented in the Deaver case in Rutherford, where the indictment was for a conspiracy to extort money, and the result in the courts was the same.

There was no question about the law; United States officials were entitled to trial in United States courts for acts which they claimed were committed under color of their office. The fact to be remembered, however, in discussing public opinion on the subject, is that there was no possibility of securing the punishment of a Federal official in a Federal court, thanks to packed juries and to biased judges, notably Judge Bond. Consequently the vicious gang of ruffians, who were also Federal officials, were entirely irresponsible and violated the criminal laws of the state with perfect impunity until they were generally hated and dreaded. The cases already cited of their conduct are not isolated nor of exceptional gravity. As an example of others, one revenue officer shot down an old and innocent man for whom he had no warrant, without any excuse whatever, and went unwhipped of justice.

When the campaign of 1878 approached, the vigorous scramble among the democrats for nomination showed how confident the party was of victory. Nor were they deceived. In April the republican state committee met and discussed three possible courses of action: first, allowing politics to drift; second, a formal disbanding of the party; and third, the reorganization of the party for an active campaign. After voting down the first two, they adjourned without taking any action on the third. In July they met again and declared it inexpedient to nominate a ticket since there was no hope of success and it would be a waste of money when there was none in the treasury. On account of the apathy in the party, they recommended a formal disbanding. The underlying reason for this was not the certainty of defeat but the sense of outrage due to the southern policy of President Hayes.

Chief Justice Pearson died in 1878 and Governor Vance after offering the position to George Davis who declined it, appointed W. N. H. Smith. The terms of all the members of the court would expire in 1879 and, provision having been made for reducing the number, only the chief justice and two associates were to be chosen. Opposition to the new chief justice developed almost immediately, Judge David Schenck and Daniel G. Fowle both aspiring to the position. In the dispute over the question of jurisdiction arising out of the revenue cases, it was claimed and widely supposed that Judge Smith upheld the Federal side. Judge Schenck had loudly taken an advanced position on the other side and was now offered as a candidate who would properly uphold the rights of the state. The contest became very bitter and little else was discussed politically. Governor Vance was in an awkward position. Naturally he desired Smith, as his appointee, to succeed, but he was himself a candidate for the United States Senate to succeed Merrimon and his supposed sympathy in the judicial contest seemed to endanger his chances.

In the midst of the campaign Judge Schenck's Ku Klux record was aired in a prolonged and bitter series of letters between Paul B. Means, who was managing Schenck's campaign, and Randolph Shotwell. This hurt his case. Then Tourgee published anonymously in a Greensboro paper over the signature "C." a series of brilliant and satirical letters, which, if it had not already been done, put an end to the hopes of both Fowle and Schenck. The latter withdrew in April on the ground that he had become convinced that the rights of the state would not be endangered by the election of Smith. Fowle awaited the action of the convention which nominated Smith for chief justice and Thomas S. Ashe and John H. Dillard for associate justices.

With the judges finally nominated, the senatorial campaign, which had been steadily under way, took the spot-light and held it until after the election, growing steadily in intensity until January 1, when Merrimon, having found that Vance was certain to win, withdrew from the contest.

The campaign for members of Congress and of the legislature was uneventful. The National Greenback party was organized in the state, the republicans encouraging it as much as possible. Quite a number of democrats joined it, but it played a small part in the election. In middle and western North Carolina there was much democratic discontent with the county government law, and a growing feeling that railroad influence was unduly strong in the party. Consequently there were a large number of independent candidates, chiefly for the legislature, the most notable being Josiah Turner, who was elected in Orange. He immediately ran for Congress with republican support but was defeated. When the legislature met he was refused membership in the democratic caucus and during the course of the session become so unruly and boisterous, refusing to obey the speaker, John M. Moring, whom he called "a gander head," that he was finally expelled. Thereafter he was identified with the republican party until the coming of the populists to whom he was favorably disposed.

The democrats carried the legislature and elected six members of Congress. One more was, however, seated on a contest. In the Wilmington district A. M. Waddell, who had been in Congress since 1871 was defeated by Daniel M. Russell. Russell had printed as circulars many thousands of copies of Waddell's speech in 1865, advocating negro suffrage, and sent them to democratic voters. Between eight thousand and nine thousand failed to vote and so defeated Waddell.

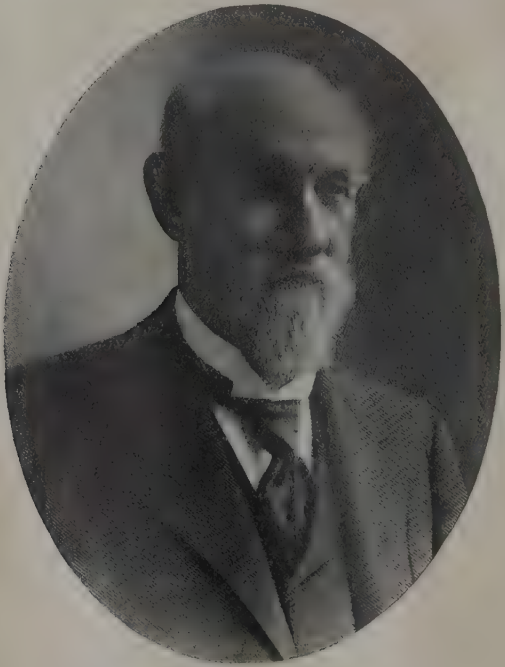
The legislature was politically divided as follows:

	Senate	House
Democrats	34	79
Republicans	16	41

It was a hard-working, serious body and one of the best legislatures in the history of the state. It was in session sixty-six working days and out of about 900 bills and resolutions introduced, passed 450—a number of which were important.

Early in the session the will of the people at the third trial finally prevailed and Vance was elected to the Senate, defeating Judge R. P. Buxton. On January 28th he presented his resignation to take effect on February 5th.

The accession of Governor Jarvis marked a new era—one of construction. Vance had won distinction as war governor, and doubtless would have increased his reputation in his later administration had he served his term and had his heart been there. But his whole ambition now was directed elsewhere. He had thrown himself heart and soul into the redemption of the state, but he looked to the Senate, not to the governor's chair, for his reward. Governor Jarvis had won his spurs before but his great reputation was still to be made. With a passion for public service that carried him beyond the partisanship of the times, constructive in thought and deed, progressive when reaction was imminent in state affairs, and highly popular with politicians, he took the office of governor and in spite of its small powers made it a center of influence. Not one of the governors of the state made a more definite impress. He regarded himself as the head of his party, responsible for the entire conduct of government, and as such he took an active part in politics. Bold and energetic, he followed ideas to conclusions and never hesitated to assume responsibility. Upright, of spotless integrity, he quickly won public confidence and showed the possibility of leadership in the state. He was above all things a practical man who looked at every question from the angle of common sense and thus was able to accomplish much that he set out to do. Always sanely progressive he was never a radical and still less a reactionary. Not a gifted speaker, he had the rare quality of never speaking without saying something worth



Governor Thomas J. Jarvis

while. North Carolina has had but few more valuable citizens and public servants.

The settlement of the debt was regarded as certain through some compromise. Vance in his message discussed the question at length and said:

> It is out of the question for us to attempt to pay it at its face value. Indeed, I do not conceive that there is any moral obligation on us to do so, nor do our creditors expect it of us. Quite one-half of our property upon which our bonds were based was wantonly destroyed by consent of a large majority of those who held them, and no court of conscience upon the earth would permit a creditor to destroy one-half of his security and claim full payment out of the remainder. But we *can* and *should* pay something.

The commission reported the plan and the legislature turned its attention to the matter. The debt of the state at the time may thus be classified:

1. Bonds issued before the war, known as "old bonds"		$ 8,371,400.00
Interest due on same		5,007,580.50
Total		$13,378,980.50
2. Bonds issued since the war by authority of acts before the war		$ 1,774,000.00
Interest due on same		1,015,890.00
Total		$ 2,789,890.00
3. Bonds issued since the war, by authority of ordinances of Convention and acts of the General Assembly passed since the war		$ 2,012,045.00
Interest due on same		1,160,773.35
Total		$ 3,172,818.35
4. Bonds issued under funding acts of March 10, 1866, and August 20, 1868:		
Funding act of 1866	$2,231,000.00	
Interest due on same	1,310,262.00	
Total		$ 3,541,262.00

Funding act of 1868	$1,657,600.00	
Interest due on same	990,987.00	
Total		$ 2,648,587.00
Total		$ 6,189,849.00
5. Bonds issued during the war, by authority of acts passed before the war, for internal improvement purposes, to which are added $215,000 issued for Chatham Railroad under ordinance of Convention of Jan. 30, 1862		$ 914,000.00
Interest due on same		674,690.00
Total		$ 1,588,690.00
Total principal of debt, exclusive of special tax bonds		$16,960,045.00
Total amount of interest due		10,160,182.85
Total amount of principal and interest		$27,120,227.85

Under the law as passed this debt was to be settled by giving in exchange new thirty year 4 per cent bonds. But a classification of the debt was made and on all the "old" debt except that incurred for the North Carolina Railroad, a total of $2,794,000, 40 per cent would be paid. On a second group 25 per cent would be paid and on a third 15 per cent. The following table gives the figures:

Class	Amount of debt	Amount payable
Forty per cent	$5,577,400	$2,230,960.00
Twenty-five per cent	3,261,045	815,261.25
Fifteen per cent	3,888,600	598,290.00
Total	$12,727,045	$3,644,511.25

Under the terms of the law the following bonds were not provided for:

North Carolina Railroad construction	$ 2,794,000
Chatham Railroad	1,030,000
Williamston & Tarboro Railroad	150,000

Penitentiary	44,000
Chatham Railroad	215,000
Western N. C. Railroad special tax	7,960,000
Williamston & Tarboro special tax	300,000
W. C. & R. Railroad special tax	3,000,000
A. T. & O. Railroad special tax	106,000
Total	$15,599,000

But of these the North Carolina Railroad construction bonds secured by a lien on the state's stock in the road amounting with unpaid interest to $3,394,000 were taken care of by an act directing the governor to appoint three commissioners to negotiate with the holders and redeem them, on such terms as might be agreed upon, with new forty year bonds at not higher than 6 per cent interest, to be secured by a lien on the state's stock.

The bonds issued to the Williamston and Tarboro Railroad, amounting to $150,000, without any interest were to be redeemed at the rate of 33 1-3 per cent when the company had executed a mortgage upon the road.

The settlement of the debt was completed by the adoption and submission of a constitutional amendment which was ratified by the people at the next election, which forbade the payment of the special tax bonds in the following terms:

> Nor shall the General Assembly assume or pay, or authorize the collection of any tax to pay, either directly or indirectly, expressed or implied, any debt or bond incurred, or issued, by authority of the convention of the year one thousand, eight hundred and sixty-eight, nor any debt or bond, incurred or issued by the Legislature of the year one thousand, eight hundred and sixty-eight, either at its special session of the year one thousand, eight hundred and sixty-eight, or at its regular sessions of the years one thousand, eight hundred and sixty-eight, and one thousand, eight hundred and sixty-nine and one thousand, eight hundred and seventy, except the bonds issued to fund the interest on the old debt of the state, unless the proposing to pay the same shall have first been submitted to the people and by them ratified by the vote of a majority of all the qualified voters of the state, at a regular election held for that purpose.

The various compromises proved very acceptable to the holders, and by August 1st bonds amounting to about $4,000,-

000 had been retired. Steadily the amount increased and by 1889 when the last report by classes was made, the debt stood thus:

Class	Amount surrendered	New bonds	Left outstanding
Forty per cent	$ 5,081,900	$2,032,760.00	$ 395,500
Twenty-five per cent	2,637,045	659,261.25	624,000
Fifteen per cent	3,332,100	499,815.00	556,500
Total	$11,051,045	$3,191,836.25	$1,576,000

Since that time redemption has continued until the amount unredeemed in 1903 was $2,000.

As commissioners to settle the North Carolina Railroad bonds the governor appointed George Davis Montfort McGehee, and Donald Bain. The compromise involved the issue of new 6 per cent bonds to the amount of $2,756,000. Almost at once bonds were issued to the amount of $2,720,000, leaving $36,000 unredeemed. In 1916 the unredeemed bonds amounted to $19,000.

A suit brought by August Belmont to force the collection of the special taxes was dismissed by the Supreme Court of the United States. Other suits brought later with the same ultimate purpose met the same fate.

Early in 1880 W. J. Best and a group of associates proposed to buy the Western North Carolina Railroad which was still unfinished. A special session of the legislature was necessary for this and both the directors of the road and the board of internal improvements advised the governor not to call it. But finally Best and Company put up a certified check to cover the expenses of the session and the governor called it in March and submitted the proposition to it.

The road from Salisbury to Asheville, a distance of 148 miles, was about complete, but the branch from Asheville to Paint Rock, a distance of forty-five miles, and the branch from Asheville to Murphy, a distance of 135 miles, and thence twenty miles to Ducktown was unfinished. Best and Company agreed to complete the Paint Rock branch by January, 1881, and the Ducktown branch by January, 1885. They were to be allowed to issue mortgage bonds of the road up to $15,000 per mile, deducting $850,000, already issued which they assumed. The state was to receive $600,000 and failure to carry out the contract in full involved forfeiture to the state.

The outstanding advantages of the transaction were the relief of the people from $183,000 of annual taxation, and from the responsibility for the debt of the road, and, most important of all, the rapid completion of the road in which was bound up the future of eleven counties of tremendous natural wealth which had been to this time isolated. Nor was it an unimportant thing for the state to get out of the business of building railroads.

The purchasers of the road were unable to carry out the first part of their contract on time and an extension was made. Best was deserted by his associates at the beginning but a group of railroad men headed by A. B. Andrews came to his aid, and later his interest passed to the Richmond and Danville Railroad and the work was carried to a successful conclusion.

The action of the governor and the legislature was much criticised and the conviction grew stronger in many minds that the railroads were in control of the state. Republicans, as a matter of course, held this view, but it was not confined to them. Democrats in large numbers shared it and the discontent resulting from the belief combined with a natural reaction made democratic strength fall off somewhat.

In 1880 began the first exodus of the negroes. From the close of the war it had been the habit of white people to express the wish that all negroes would leave the state, but when a very small movement of the sort began, there was widespread alarm and angry opposition. The state could not dispense with negro labor, particularly when it was not being replaced by white labor. So the negro was at first advised not to leave, and later, when the movement seemed somewhat more serious, almost commanded to stay. Frederick Douglass made a speech in Raleigh in 1880 in which he said, "A flea in a tar-barrel, without claws, is far better off than a

Southern darkey up North without money. The exodus the colored people want is the exodus from ignorance, vice, and lack of thrift.''

The departure of the negroes was not on any large scale, and their numbers in the state grew steadily. The census of 1880 showed the negro to be in a majority in twenty-one counties and the creation of Vance County two years later added another black county.

Governor Jarvis was naturally anxious for another term, but he was not without opposition. Daniel G. Fowle and Alfred M. Scales were also in the race and a furious pre-convention campaign took place chiefly between Fowle and Jarvis in which great heat and feeling was developed. Jarvis won in the convention only to enter at once upon another campaign.

For the republicans were in no mood to hold back as they had done in 1878. A state convention was held in which R. P. Buxton was nominated for governor and a platform adopted condemning the sale of the Western North Carolina Railroad, viewing ''with alarm'' the progress of railroad consolidation, and declaring the democratic party an oligarchy controlled by railroad corporations and influence. Not less sharply did they condemn the convention of 1875 and the constitutional amendments, declaring the latter invalid. The county government law they characterized as ''utterly subversive of the rights of the citizens, the grossest political robbery ever practiced in this or any country, the most damnable fraud ever devised or sanctioned by any political party.'' Declaring themselves as a party, ''ever the friends of education,'' they demanded better schools.

A joint canvass was arranged. Governor Jarvis developed unexpected strength on the stump and rather outclassed his opponent who in August abandoned the joint debate. The result of the election seems never to have been in much doubt on either side. Jarvis received a majority of six thousand, the democrats carried the legislature with large majorities in each house, and won every seat in Congress except the one from the black Second District which the republicans carried.

Governor Jarvis in his inaugural recommended a railroad commission and with emphasis demanded educational improvement. Under his spur the legislature passed a new and improved school law. A social question, new for North Carolina, was raised when petitions were presented, signed by more than one hundred thousand persons praying the passage of a law prohibiting the manufacture and sale of intoxicating liquors. Behind the petitions was a movement of considerable strength and the legislature happened to contain a large number of men favorable to the idea. These, combined with those who thought the popular element so great as to make it good politics, secured the passage of an act submitting the question to a referendum of the voters to be held October 1st.

The campaign on the prohibition question did not make a great deal of noise. On June 1st a great anti-prohibition convention was held which unsparingly condemned prohibition on moral, political, social, economic, physical and financial grounds. The resolutions make interesting reading in 1918. The press had comparatively little to say, but long before the election came it was clear that the proposed law would be defeated. Only four counties, Cherokee, Clay, Yancey, and Transylvania had majorities for it and the majority against it was approximately 118,000.

The feeling aroused among democrats by the prohibition campaign was taken advantage of by the republicans. Dr. J. J. Mott, the state chairman, was determined, if such a thing were possible, to break the color line in politics. Negroes had been encouraged in 1881 to vote for prohibition and thus establish a relation at the ballot-box with the democrats which it was hoped would lead to future political affiliation between them. The negroes were already restive because of the feeling that they were not receiving a fair share of the offices, and in May, 1881, held a convention to voice their demands for a fuller recognition of their claims. But Mott's plan of dividing their vote failed because the democrats would have none of the negro, because the negroes were equally determined not to join the democratic party, and because whenever a campaign came the rank and file of republicans employed all the old devices to consolidate the negro vote.

With discontented and anti-prohibition democrats, Mott was more successful. Talk began to be heard of "Liberal" as opposed to "Bourbon" democrats. Those democrats who had joined the greenback party in 1880 were mostly available now, and to them were soon joined a considerable group of new seceders. Notable among these were Charles A. Price, C. A. Cook, Tyre York and J. M. Leach. Mott had high hopes of effectively dividing the democratic party and wrote the assistant postmaster general in 1882 that numerous small offices which were in the hands of "Bourbon" democrats might with advantage be given to liberals if no republicans wanted them. This "pone of bread" argument worked in many individual cases but it did not go far politically. Not enough of the "Bourbons" came over.

In pursuance of the plan, an Anti-Prohibition-Liberal convention was held in which appeared from the republican party William A. Moore, J. J. Mott, James H. Harris, J. E. O'Hara, and I. J. Young. Nothing more was needed to classify the gathering and to locate its ultimate political destination.

A democratic convention met in July and nominated Thomas Ruffin for associate justice and R. T. Bennett for congressman-at-large, the state not having been redistricted since the new apportionment. The platform denounced Federal interference in elections, the internal revenue system and all its workings, declared the prohibition question settled, endorsed public education in a perfunctory way, declared continued opposition to paying the special tax bonds, and pledged continuance of the county government law or something similar.

The republicans nominated O. H. Dockery for congressman-at-large and formed a coalition with the liberals who endorsed the nomination. Both groups loudly condemned prohibition and the county government law.

The campaign which followed was interesting. Every device was employed by the democrats to discourage the liberals who were promptly dubbed "assistant republicans." Much was made of the conditions in the Sixth Federal Revenue District and many charges were made against Doctor

Mott, the republican chairman who had formerly been collector, whom the democrats justly regarded as the author of their troubles. A committee of the United States Senate, with Vance as chairman, made an exhaustive investigation which was not allowed by the other members to terminate, until after the election, but it was unable to discover anything greatly to Mott's discredit. Undoubtedly the revenue service was an important part of the republican party machinery, there was disclosed considerable corruption on the part of numerous subordinates, but Mott's personal reputation did not suffer from the investigation and it was clearly shown that under his administration the service had steadily improved. The great trump card of the democrats was the Reconstruction record of the republican party, particularly in relation to public finance, and it overmatched the opposition arguments. It was, in truth, an effective argument for as yet there was no answer and could be none until a new generation of leaders as well as of voters had grown up. The conduct of the Federal officials was also still a sore spot which the democrats managed to press hard. Many of the republicans themselves were restive under the revenue control of the party.

The contest between Bennett and Dockery excited great interest and great hope among republicans but resulted in the victory of the former by about 800 majority. Tilden had carried the state in 1876 by 17,000 and Vance by 14,000; Jarvis in 1880 had a majority of 6,000. In truth there was reason for republican rejoicing. Nor was this all. In the Seventh District, which was thought unalterably democratic, R. F. Armfield, the sitting member, was defeated by Tyre York, a liberal. The black district was won for the republicans by J. E. O'Hara, a Halifax negro. The legislature, however, showed little change, and only one liberal was a member.

The session was unimportant. Jarvis again urged a railroad commission but the time was not ripe although each house passed a bill creating one which the other refused. Ransom was re-elected to the Senate over William Johnston who received the liberal and republican support.

The alliance of the republicans and liberals thus made endured through the next campaign, at the end of which most of the liberal leaders had become republicans. In 1884 the republican and liberal conventions met in Raleigh at the same time and while there was pretended separation, to all intents and purposes they were only two divisions of the same body, acting together in all things and adopting a common platform.

The liberal convention was presided over by William Johnston. The former democrats already mentioned were in evidence reinforced by a number of republicans including P. H. Winston and Thomas P. Devereux. The platform advocated a county government law which would restore the election of all officials to the people. It condemned the internal revenue laws, endorsed the Blair Bill and a moderate protective tariff, demanded the elimination of sectional strife and closed with a declaration in favor of equal political rights to all.

The republicans agreed to this and a joint conference committee then chose the ticket. It was as follows: governor, Tyre York, attorney-general, C. A. Cook, both liberals; lieutenant-governor, W. T. Faircloth; secretary of state, G. W. Stanton; treasurer, Washington Duke; auditor, F. M. Lawson; superintendent of public instruction, Francis D. Winston; associate justice, D. L. Russell, all republicans. Mott's scheme had again been successful and the republicans had the best of the bargain. But there was much open bitterness in the convention over the nomination of York and it continued and spread during the campaign. The democratic party was suffering more from division, but the republicans were by no means united in spirit, although they had as always a wonderful knack of forgetting their quarrels by election day. The comment of one prominent republican in this campaign is interesting:

> The republican party as now managed in this state is a mere political machine controlled by a few for the oppression of the many, and so regulated as to register the will of a combination of bosses for boss rule. * * * The administration at Washington—every administration since the war—has been criminally careless in regard to the selection of these [federal] officials. The administration of

federal affairs in the state for the entire period of fifteen years has been an outrage upon the people and a reflection upon the general government.

The democratic convention met late in June. An active pre-convention campaign had been going on between A. M. Scales, Octavius Coke, Thomas Holt, and Charles M. Stedman, and Scales won on the first ballot over Coke, the names of the others not being presented. Partly because of a demand for rotation in office and partly in answer to the liberal movement, Worth, Scarborough, and Kenan, who had held respectively the offices of treasurer, superintendent of public instruction, and attorney-general, were dropped and replaced by Donald W. Bain, S. M. Finger, and T. F. Davidson. The platform as usual was profuse in its congratulations to the people upon democratic rule and challenged the republicans to a comparison. Federal interference at the ballot box was denounced, the repeal of the internal revenue laws and the protective tariff were demanded, federal aid to education, if under state control, was advocated, an improved system of public schools was promised, and the East was guaranteed the maintenance of the county government law.

The campaign was interesting but not pleasant. Probably the character of the national campaign affected it, but, whatever may have been the cause, it was full of personalities and unpleasant incidents. York was of rather a rough type who had been, like a great many of the western democrats in strong republican communities, inclined to be a reactionary, and had been profanely bitter against the negroes and the republicans whose candidate he now was. He and Scales conducted a joint compaign which was rather stormy, abounding in charges and counter-charges, and in which the lie was passed more than once. At Wilmington the democratic candidates were stoned by negroes who were having a republican parade.

Republican dislike of York's candidacy continued and operated unfavorably against him. Two prominent republicans, S. L. Patterson and W. A. Smith, the "Blow-Your-Horn-Billy" of reconstruction fame, left their party and became democrats. The democrats, as they saw before them victory in both state and nation, recovered unity and became more aggressive than they had been since 1876. The money for the Western North Carolina Railroad had been paid and had been used for current expenses, so there was no collection of state tax in 1884, a fact which added to the popularity of the administration and the party.

By 1884 whites and negroes in North Carolina were living in peace and without collision or confusion. This was due to the genius and characteristics of the people. North Carolina white people in general treated the negroes with fairness and kindness and the negroes, racially, were when undisturbed, amiable and unaggressive. For political purposes an attempt was now made to change all this. The republicans, with a democratic presidential victory in sight, poured into the ears of the negroes wild tales of what would happen to them in the event of democratic victory. Three words sum up the threatening prophecy, *Confiscation, Disfranchisement, Slavery.* Fortunately the attempt failed to do more than make the negroes, for the last time, rather anxious about the continuance of their freedom. That, however, does not excuse the method. It was simply an example of the opportunist politics which had damned the party in reconstruction, and which was later to damn it again, and lead finally, thanks to the evil effects upon the negroes, to the fulfillment of one of the republican prophecies—the disfranchisement of the negro.

Cleveland carried the state by 17,000, Scales by 20,000. The democratic majority in both houses of the legislature was increased, and the republicans carried only the black district with J. E. O'Hara.

The legislative session was not in any respect notable, except for a manifestation of an increasing interest in educational matters. Governor Jarvis's last message laid its chief emphasis there as he plead in behalf of the future of the commonwealth for greater opportunity for the youth of the state. Scales in his inaugural continued the emphasis. Both urged support of the schools and the proper maintenance of the University which had reached a point where unless state aid, greater than $5,000 a year, was given it could go no further. Accordingly the legislature, over the bitter opposition of members of certain of the religious denominations who claimed that the state had no right to tax them to support a state institution when they supported colleges of their own, began the policy of real state support by appropriating $15,000 for the annual maintenance fund. Later in the session the first steps were taken in the organization of the Agricultural and Mechanical College, by a law authorizing and directing the board of agriculture to establish an industrial school. On account of the lack of funds, however, nothing was done until the following session. The senators and representatives in Congress were requested to support some plan of distribution of the surplus revenue among the states for public education, provided the control of the fund was in the hands of the states. Scales in his inaugural, after seeking to quiet the fears of the negroes, as to democratic policy in respect to them, had advocated Federal aid for their education.

The glaring defects of the system of assessment and taxation were beginning to attract attention and the governor was directed to appoint a tax commission to investigate and report to the next legislature. A bill for a railroad commission was introduced in the Senate but failed to pass and the House was not sufficiently interested to consider the question. The grip of the railroads was as yet unbroken. The beginning of Confederate pensions came with the provision for the payment of $30 annually to indigent and disabled soldiers and the widows of soldiers. Vance was re-elected to the Senate over Tyre York who was the republican nominee. Of course if there had been any chance of election, neither he nor William Johnston in 1883 would have been supported by the republicans.

The democrats had practically no opposition in the legislature, so small was the minority in each house. On the surface in 1884 and 1885 it seemed as though the difficulties of the party were over and that it had a new lease of life and power. Such, however, was not the case. The discontented elements were growing and when 1886 came it found the party badly disorganized. It was a fact no longer to be denied that the county government law was bitterly unpopular with democrats, outside the East, as well as with republicans. It became now a live question, the democratic party being committed still to its maintenance. Anti-railroad feeling was growing and the failure to create a railroad commission intensified it. The beginning of the farmers' movement increased political tension. The truth of the matter is that while the state as a whole was unprogressive,—as indeed it had always been and as it was doomed to be with so great a proportion of ignorance,—the democratic leaders in the main were more so, and while as yet there was no progressive program in opposition, discontent was prevalent largely because of the failure of the leaders really to lead.

There was little of interest in democratic politics in this campaign. A movement to replace Chief Justice Smith with Merrimon, who was now an associate justice soon died and the convention nominated the entire court as it was constituted, and adopted no platform.

The republican executive committee met and decided against holding any convention but a large number of the party were dissatisfied and a self-constituted committee, headed by T. B. Keogh and J. C. L. Harris, proceeded to call one. It met with 146 delegates representing fifty-four counties mostly in the west. The platform adopted condemned the democratic policy of using convicts in competition with free labor, declared the democratic party one of broken promises, opposed the existing road system, denounced the county government law, endorsed the Blair Bill and the protective tariff and demanded a free ballot and a fair count. The convention then nominated W. P. Bynum for chief justice and J. W. Albertson and R. P. Buxton for associate justices. Judge Bynum declined the nomination and Judge Buxton replaced him, V. S. Lusk, taking the latter's place on the ticket. A full ticket for the Superior Court was also selected. The convention deposed Mott and the old executive ticket and elected a new one headed by Keogh. The bolters had clearly captured the organization and a bitter quarrel with Mott, which really began before the convention, followed. Mott was highly contemptuous of the movement and openly declared some of the nominees for judge ''no more fit for the place than mountebanks are for soothsayers.''

The campaign was devoid of interest. There were many independent democratic candidates, whom the regulars damned as traitors who were jeopardizing democratic rule and with it good government. There was considerable discussion of the Blair Bill and twenty-six of the newspapers of the state strongly opposed it fearing Federal control of education. All the North Carolina senators and representatives, however, favored it and voted for it.

The election was closer than any for years. The democratic judicial ticket was easily elected and the republicans won only two seats in Congress, although interestingly enough, they lost the ''black second'' where F. M. Simmons was elected. But in the legislature, while the democrats retained control of the Senate, they lost the House which was in the hands of republicans and independents. John R. Webster, one of the latter, was chosen speaker over Lee S. Overman, the democratic caucus nominee. Webster was an opponent of the county government law although he did not favor unconditional repeal. Of course an immediate attempt was made to secure the repeal of the law and a bill for the purpose passed two readings in the House only to be tabled on the third. Later another similar bill passed all three readings and failed in the Senate.

Similarly a bill for a railroad commission passed the Senate and was defeated in the House to the bitter chagrin of its advocates.

The work of the legislature worthy of mention was the establishment of the Agricultural and Mechanical College at Raleigh, the passage of a constitutional amendment providing for two additional associate-justices of the Supreme Court, the passage of resolutions asking for the passage of the Blair Bill and the repeal of the internal revenue laws, and the reduction of the state tax 5 cents on the $100. The last was regarded as a great achievement. Most of the time of this and all succeeding sessions of the legislature for years was given to local and special legislation which has since served as a terrible block to progress. It was a growing evil which was a real menace to the state.

The campaign of 1888 was the last under the old régime. Great changes were impending in leaders and issues. The farmers' movement was beginning to be felt, a new group of leaders in both parties were demanding a hearing for their views and plans and recognition for themselves and it was certain that they would not long be denied.

The republicans met in May and nominated O. H. Dockery for governor and Jeter C. Pritchard, of Madison, for lieutenant-governor. The latter had served in the legislature in 1885 and 1887 and had won for himself by his force of character and ability a place of leadership in his party. D. L. Russell, R. P. Buxton, and D. M. Furches were nominated for associate justices. Russell declined and W. A. Guthrie took his place. The platform contained the usual demand for the repeal of the county government law and the passage of a new election law.

The democrats met in June. There was a long contest for the nomination for governor between D. G. Fowle, Charles M. Stedman, and S. B. Alexander. Fowle was finally nominated on the twenty-third ballot, and after Alexander had been nominated for lieutenant-governor and declined, Thomas M. Holt was chosen. J. J. Davis, James E. Shepherd, and A. C. Avery were nominated for associate justices. The platform was the usual one differently phrased.

There was a prohibition ticket in the field, headed by W. T. Walker, but it received only about 3,000 votes in the election.

The campaign had in it nothing of interest. Both parties had ceased to advocate anything progressive and had lost all vitality. The republicans wanted to get in and the democrats wanted to stay in but apart from that neither was looking to the future. Of the two the democrats were the more listless and apathetic and many people thought that Fowle would be defeated. He was, however, successful with a majority of 14,000 while Cleveland carried the state with a majority of 15,000. The democrats elected the judicial ticket, carried the legislature with safe majorities in each house, and elected six members of Congress, the republicans thus gaining one seat.

The legislature was like its immediate predecessors. Ransom was re-elected to the Senate over O. H. Dockery, the election law was so largely amended as to change it materially, certain new provisions and requirements being added which made it simpler for election officials to disfranchise voters. The railroad commission was once more defeated, this time by the Senate, and a new grievance thereby given the people who had come at last to demand the law.

During the years following the close of Reconstruction which have just been politically described, a wonderful development was under way, one which was transforming the state. The cotton mill and the tobacco factory, followed rapidly by other industrial plants of lesser importance, were revolutionizing industrial life. Agriculture, it is true, remained the central interest of the state, but it was largely unchanged in this period with the one exception that trucking was a developing factor of increasing importance which, apart from its high profits, served as a most enlightening influence in bringing in new methods and encouraging new experiments. Manufacturing, though, was bringing in capital, and giving remunerative employment to a rapidly increasing class, which from contact with new associates and new ideas, coupled with the possession of ready money, was gaining new standards of life and of living. In the same way, it was building up thriving towns, which were to prove a tremendous asset to the state, laying the foundations of a new and real prosperity, and transforming the life and thought of the people. It had its evils of course, not the least of which was a marked tendency, which manifested itself in some classes of the people, to a crass materialism, but the benefits far outweighed them. Along with industrial development the steady increase of railway mileage brought opportunity, economic and intellectual, nearer to many to whom it had been hitherto denied. Industrialism and the railroads were great educational factors in North Carolina.

Thus rapidly and still unconsciously the old commonwealth was being rebuilt into a new structure which resembled but little the one it replaced. No such thing is ever accomplished in human beings or human society without shock and disturbance of some kind, usually both physical and mental, and the new North Carolina was due something on the order of growing pains. It could not escape. Also it would have to find itself.

The changes being wrought in the fabric of the commonwealth had been made possible only by the peace and quiet of the state under democratic rule. The conservative-democratic party of Reconstruction undoubtedly deserves much credit for what it accomplished. It saved the state, gave peace and good order, solved, temporarily, at least,—for there was no permanency in the solution,—the negro question as it existed at the close of Reconstruction, kept expenses down and thus gave a desperate and largely poverty-stricken people a breathing spell, and was along some lines moderately progressive. Its chief defects were the timidity of its leaders and its lack of social responsibility. The state was crippled by an inequitable, dishonest, and inefficient system of taxation and the party did not want, or feared, to correct it. It slowly improved educational conditions, but it had no passion for the education of all the people and did not unwaveringly take its stand on the platform of universal uplift through public education. There were exceptions among the leaders, like Governor Jarvis, but he was, biologically speaking, a political sport in North Carolina. As a consequence of these defects the day of the party was almost done. Crystallization had set in and there was little hope of its being able to carry the state forward under the exacting requirements of modern civilization unless it should be transformed and greatly socialized, and it was beyond the point where that could be done by quiet and natural growth and development. A re-birth was necessary and that could come only in labor and travail.

On the other hand there was no hope in the republican party which was as unsocialized and unprogressive as its opponent, with the additional handicap of having ignorant negroes compose more than half its voting membership. That single fact determined the place and character of the party.

It was manifest that before it could offer progress to the state it must be reconstructed and, like the democratic party, born again.

Two things explain the political condition in the state, namely, ignorance among the people and the presence of the negro. Both had from the beginning cursed the community and condemned it to poverty and inaction that was in effect reaction.

Ignorance and slavery, in the period before the war, had debased free labor and forced upon the masses poverty and ignorance; they had destroyed freedom of speech and of thought; they had made possible the rule of politicians who thought in terms of national politics and were ignorant of and indifferent to the needs of the state, until national politics became the curse of the state; they made the state inert and unprogressive to the point that thousands and hundreds of thousands of its sons became exiles that their children might not endure the bonds which shackled those who remained.

In the period following the war, ignorance and the negro accomplished no less of evil. The negro was the basal fact of Reconstruction, judged from either the angle of its purposes or results. Reconstruction past, the negro remained as a menace which lowered political morals, caused political stagnation, and, along with these, blocked the progress of public education, and was a social evil of the greatest magnitude. It was not the fault of the negro and but for the curse of ignorance he would not have been such an obstacle to progress. But ignorance was present. In 1890 more than 23 per cent of the native white people of North Carolina over ten years of age were unable even to read and write. Only New Mexico in the United States was worse off. Of its total population nearly 36 per cent were illiterate. As Walter Page phrases it:

> One man in every four was wholly forgotten. But illiteracy was not the worst of it; the worst of it was that the stationary social condition indicated by generations of illiteracy had long been the general condition. The forgotten man was content to be forgotten. He became not only a dead weight, but a definite opponent of social progress. He faithfully heard the politicians on the stump praise him for

virtues he did not have. The politician told him he lived in the best state in the Union, told him that the other politician had some hare-brained plan to increase his taxes, told him as a consolation how many of his kinsmen had been killed in the war, told him to distrust anybody who wished to change anything. What was good enough for his fathers was good enough for him. Thus the forgotten man became a dupe, became thankful for being neglected.

Education, then, was the primary requirement of the state for the future because from that alone would grow the other things needed. A movement for it was inevitable for leavening influences of several sorts were at work which, combined, would finally begin the first and most difficult part, the education of the people to the need of education. The existing parties having failed, because of political timidity and social indifference of political leaders, to grasp opportunity, would in the end, in self-defense,—really in self-preservation,—be forced to grasp it or give place to a new party having its foundations in the awakening of the people, animated either by the simple natural desire to give their children a better chance in life, or else looking forward to a new and better day for North Carolina, when one in every eight people born there would not find it "a good State to come from."

CHAPTER XII

THE RISE OF POPULISM

The late eighties saw in North Carolina, as in many other Southern and Western states, a vast and steadily growing unrest and discontent. Economic and social in its origins, this feeling was translated into a political movement—a revolt at first but shortly to become an attempted revolution—which imperiled the foundations of the social and governmental structure in North Carolina. Beginning as an agricultural movement, as it gained momentum it gathered to its standard those who were for any reason dissatisfied with existing conditions, a group of idealists—some of whom were radical fanatics—who saw in the movement the beginning of the millennium, and a considerable number of political adventurers of a demagogic sort who saw in it the opportunity for advancement for themselves which had been hitherto denied for reasons more or less obvious.

At this period of the state's history agriculture was still entirely dominant. Conditions affecting that industry determined the prosperity of the population or the reverse. In the period following 1870 conditions were far from good but there was steadily increasing prosperity. Beginning about 1886 or 1887 depression set in. Cotton prices in spite of fluctuations from year to year had steadily fallen, the average price from 1880 to 1887 being 9 cents. It was 11 cents in 1890, 9 in 1891 and about 6½ in 1892. Grain was similarly affected by the tremendous expansion of the grain fields of the northwest and the enormous crops which were produced. Wheat, which had averaged $1.07 from 1880 to 1887 was 86 cents in 1887 and still falling. Corn, averaging 46 cents for the same period, had dropped to 34 cents in 1888, to 28 in 1889. In 1890 it rose to 37 cents. Tobacco was beginning to show the effect of consolidation of manufacturers by which the price was controlled.

Conditions were indicated in another way. The mortgage burden of the state was heavy. During the decade from 1880 to 1890 it amounted to $55,832,062 and in 1890 it was $21,471,428 and steadily increasing. Nearly 18 per cent of the taxed acres were under mortgage and on the average every taxed acre bore a mortgage burden of 53 cents. The average value of the farm acre was $8.12. The per capita mortgage debt was $13, but this was low, only South Carolina of all the states having a lower rate.

A hopeful sign was the steady increase in the number of farms and the decreasing size, tending to intensive agriculture and a wider spread of opportunity.

Returning to the causes of discontent, labor as well as low prices caused trouble. Of course there were no strikes but the negroes in many quarters were unsettled and restless and the exodus to Arkansas and Nebraska produced a serious shortage of labor in some parts of the state.

The effects of the war and of Reconstruction were still clearly visible in the state and the farmers largely living from hand to mouth, were without an adequate reserve to carry them over a lean year, much less to bear the burden of a succession of them. They thus felt keenly the effects of the progressive impoverishment of their class. To all this was added the pressure of high railway rates, poor service and discrimination. Attempts to secure a remedy for railroad oppression, which was, it is fair to say, highly magnified, for the railroads themselves were not over-prosperous, were uniformly and successfully thwarted by the railroad interests which, in one way or another dominated the legislature of the state. It was no wonder that to many observers conditions seemed hopelessly bad and that discontent was widespread.

As is so often the case the action of government was held entirely responsible for these conditions. The protective tariff was at first the object of attack but in a short time the monetary system of the country and the banking system were regarded as the real basis of the evil, with trusts and railroads in close competition for the second position among the causes of distress. With feeling of this sort dominant political activity in time was a certainty. And in politics, no less, the time and conditions were ripe for revolt.

During the period following the redemption of the state in 1876, a steady process of crystallization had gone on in politics. Redemption from governmental corruption, extravagance and misrule had been accomplished through the efforts and leadership of a body of men who were, in the main, young, and considering everything, fairly progressive, and who were able to unite the majority of white men in the state and hold them in the democratic party because of the fear amounting almost to certainty that the restoration of the republicans meant the return of the evil government of Reconstruction. The real basis of democratic organization became in a sense, then, opposition to the negro in government and politics. For this reason the republican party was chiefly distrusted and every protestation by republican leaders of devotion to white supremacy was heavily discounted with the constant answer that republican success, under the existing organization of the party, meant, in spite of what a few leaders might desire, the return of the negro and misgovernment. But as time passed, the task of holding the democratic majority together became increasingly difficult. The memory of Reconstruction became more indistinct, particularly to younger members of the party. Signs of revolt were not wanting even in the early eighties, as witnessed by the liberal movement of 1882.

Many things contributed in preparing the way for revolution. As always there was a considerable element of disappointed politicians—self-seekers—who looked to personal advantage and advancement. A large and growing number of able, honest, and influential democrats were sick at heart over election methods, particularly in the East but not confined to that section. The disfranchisement of the negro by force, intimidation, bribery, or fraud, begun to rescue the state from ruin, had continued. Undoubtedly it saved the state, but like all evils of its kind, it was progressive and it had grown until in many quarters of the state fraud in elections was looked upon by both parties, not only as something to be expected, but as something entirely justifiable when committed for the benefit of one's own party. It was a far cry from the political purity of the ante-bellum period, and the legacy of the apostles of "Northern Civilization," the carpet-baggers, bore heavily upon forward-looking people. Thinking men began to see the logical end of this—caught a vision of the probable political ideals of their children and grandchildren if such a system were perpetuated, and, fearful, sought a way out. And there was none in sight. Of hope there was likewise none so long as unrestricted negro suffrage continued.

Nor were party conditions promising. In addition to the inseparable alliance of the republican party with the negro and the resulting social stigma, it was dominated and controlled by Federal office-holders who quarreled and squabbled over the spoils of office and who in the main saw politics from the angle of place. Many of them wanted the party to remain in the minority that the number entitled to spoils might not be increased. Some few leaders were of a different stripe and in the rank and file of the party, particularly in the West, were good men, but in the party as a party there was, at the time, small hope for the future. In addition, it was a fact unchangeable that unaided by democratic revolt it could not win.

The democratic party of the late eighties could scarcely be called progressive. The instinct of political leadership of the older day spent itself now in preventing negro equality in politics and had little energy for other tasks. It was chiefly interested in keeping in power and maintained with truth that only by its success could good government be maintained. But it was uninterested in questions of social reform, it was indifferent to progress in public education, it sought at all costs to avoid spending money and, failing utterly to distinguish between extravagance and proper investment for the future, it capitalized the habit of poverty which had always characterized the state. Its control was in the hands of elderly men who, naturally conservative, looked pityingly and scornfully upon progressive and ambitious youth and if unable to enforce a somewhat reverential acceptance and support of their ideas, methods, and rule, were able to combine very successfully to stifle opposition. Their argument was chiefly the negro and Reconstruction. One too young for service then had small chance for promotion from them or even for an interested hearing whatever might be his object and however great might be the eloquence and logic of his argument, if it differed from the accepted dogmas of the party faith. Their faces were turned to the past and the only question was how long they could maintain control and preserve the status quo.

The same situation existed in other Southern states, but the white republicans were too few to be important. When the revolt came in those states, it was merely a shifting of supremacy within the party. In North Carolina it meant a complete overturn of the party in power.

As has been said the revolt found its beginnings in agricultural conditions. The generation then at maturity had an inheritance hard to overcome in the defeat of its fathers in war, a destroyed labor system, the constant threat of social and political anarchy, and the grinding poverty which beset it. Unrest was natural and found expression in the founding of local farmers' associations of one sort and another. The first of these was the Grange. The first Grange in North Carolina was organized early in 1873; by the middle of May there were 20, and by October, 110. A year later there were 430, and in January, 1875, the highwater mark was reached with 477, with a membership of more than 10,000. The following year decline commenced. It was never very important in the state, although a few co-operative stores and Granger schools were established. It took no part in politics and its chief importance lay in its accustoming the farmers to the idea of agricultural organization and so preparing the way for the Farmers' Alliance.

In February, 1887, a farmers' convention met in Raleigh, perfected a plan of organization, and elected Elias Carr president. To its influence and activity was due, to a considerable extent, the foundation of the Agricultural and Mechanical College and the withdrawal of the landscrip fund from the University. It is probable that it was called chiefly for that purpose. Its success indicated that the time was ripe for a more complete organization which speedily followed.

The Farmers' Alliance was first organized in North Carolina in October, 1887, and was at the time composed of 132 subordinate alliances situated in eight counties. The first local sub-alliance had been organized in April. It spread rapidly and by the following summer had 1,018 local branches in sixty-two counties of the state and a membership of more than 42,000. It had not reached the mountains and was strongest in Wake, Chatham, Sampson, Robeson, Moore, Union, and Cumberland. The membership increased to 72,000 in 1889 and the sub-alliances to more than 1,600. In 1891, organized in every county of the state, there were 2,221 sub-alliances with a membership of more than 100,000, after which the decline began, almost coincident with the rise of Populism.

Syndenham B. Alexander of Mecklenburg was the first state president. Elias Carr succeeded him in 1890, and in 1891 Marion Butler was elected. He served two years and then was elected first vice president of the National Alliance, becoming president in 1894. He was succeeded in the state presidency by Dr. Cyrus Thompson. The most influential person in the organization, however, was L. L. Polk, formerly state commissioner of agriculture and editor of the *Progressive Farmer* who became its first secretary, and first vice president of the National Alliance.

In its inception in North Carolina there was no conscious political purpose in the mass of the members, whatever may have been the aims of the leaders, but it had certain practical aims which made political activity inevitable, and the foundation of a new party, in the event of failure to control the old ones, almost a certainty. These aims were all in the direction of correcting outstanding abuses. Because of railway discrimination and high rates, they advocated state control of freight rates, and later demanded the public ownership of railways and telegraph lines. To enable them to hold agricultural products, the sub-treasury scheme was devised by Harry Skinner, a North Carolinian, by which the Federal Government would undertake the warehousing of such products and the issuance of receipts therefor which would circulate as currency. Along with this they demanded a larger per capita circulation of legal tender notes. For very obvious reasons they opposed the growth of trusts and demanded that the Government undertake their destruction. These were farmers' demands, and lawyers, merchants and bankers were at first excluded from the organization. Along with these practical purposes, the Alliance was intended to furnish social light and recreation to the farming population. This was a most important factor in the rapid spread of the organization for the life of the average North Carolina farmer was dreary enough and the Alliance brought the light and stimulus of social intercourse to many depressed and weary women, hard-driven and hopeless men, and joyless young people, deprived of the pleasures of youth. It is no wonder that for a time the Alliance was almost a religion, offering as it did

Col. L. L. Polk

comfort and joy in the present and the promise of happiness and salvation to come.

The first state meeting of the Alliance passed resolutions denouncing the Cotton Bagging Trust, demanding the repeal of the tax on tobacco, the revision of the tariff in such a way as to lighten the burden on necessities and increase it on luxuries, the establishment of a state railroad commission, the prohibition of the use of railway passes by public officials, and revision of the laws which would reduce the cost of minor litigation; and protesting against the state's giving away the labor of convicts.

About the same time criticism of legislators and the political parties became common. In discussing the reasons why the farmers had suffered so, the *Progressive Farmer* gave the following explanation: "It is because the great mass of the American people, blinded by party spirit and bowing to the mandates of self-constituted partisan bosses, have surrendered their manhood and are victims of designing corrupt men."

Even before the union of the various state alliances into a national organization the political influence of the North Carolina Alliance was important. S. B. Alexander was a farmers' candidate for the democratic nomination for governor in 1888 and received and declined the nomination for lieutenant-governor. In county affairs some influence was exerted but the local groups of officers, the "court-house rings," as Alliance men began to call them, were too firmly established for anything short of a political revolution to overturn them. With the members of the legislature it was different as there was a firmly established precedent for frequent changes, and so the legislature of 1889, elected in 1888, contained a larger proportion of farmers than any other since the war. In the House they were strong enough to force the election of Leazer, an Alliance leader, to the speakership. In the Senate they were not so powerful, however, and the Railroad Commission Bill, which had passed the Senate in 1887, only to meet defeat in the House, was now defeated in the Senate after fairly easy passage through the House. Governor Scales had urged its passage in his message and it could not be said to be entirely a farmer's question although it was the measure in which they were chiefly interested. In this legislature appeared the beginning of the attacks upon the national banks and also of the demand for a more abundant currency, veiled, however, in the form of a demand for state banks of issue.

The Alliance men lacked leadership and as the old conservative democratic leaders were experienced and not yet distrusted, the session saw little attempted for the relief of the agricultural interests. As a result dissatisfaction was increased and the way prepared for independent party action. The republican leaders saw this clearly and fostered carefully the spirit of discontent.

Polk was rapidly extending his influence and in 1889 he was chosen head of the National Farmers' Alliance and devoted all his energies to pressing its demands. S. B. Alexander was still at the head of the state organization and associated with him were men like Dr. Cyrus Thompson, Maj. William A. Graham, Elias Carr, and Marion Butler, the last mentioned being editor of the *Caucasian,* an influential country paper in Sampson County where he was very strong.

Most of the members of the Alliance were democrats and they were able largely to control the party. In 1890 they openly denied support to those who would not pledge themselves to support their demands. Upon candidates for Congress they imposed the pledge to support the abolition of national banks, the prohibition of dealing in future in agricultural products, the free coinage of silver, the prohibition of alien ownership of land, the abolition of special taxation, and the issue of fractional paper currency. In state affairs they still made their former demands, adding a declaration in favor of better schools and for the higher education of women.

In the campaign the Alliance continued to champion independent thought and action by members in the interest of reform. As yet there was little thought of a new party, the aim being not to break either the democratic or republican party but to reform and dominate them, taking their direction and control out of the hands of "bosses."

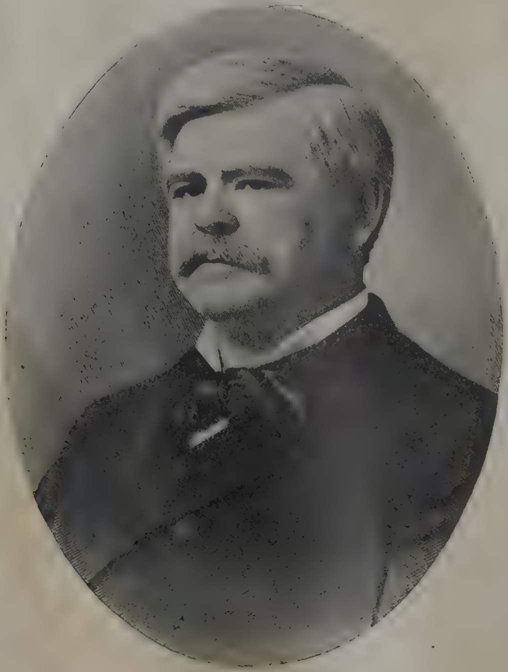
Their tactics were very effective as concerned the candidates for Congress. Two candidates for the democratic nomination, one a sitting member and the other a former member, were forced to withdraw in favor of farmers' candidates. Another sitting member found it necessary to sever his connection with a national bank to have any hope of success and failed after all. Of the nine nominees, four were members of the Alliance and only two were in open opposition to it. The same methods were no less effective in dictating the nominees for the legislature and determining the policy of the party. When the democratic convention met, a majority of the delegates were members of the Alliance and the platform in substance was simply a restatement of the demands of the organization. The democrats nominated A. S. Merrimon and Walter Clark to succeed themselves as chief justice and associate justice respectively. They were full of uneasiness at Alliance activity but since the members were chiefly democrats they felt fairly confident that the trouble would soon blow over.

The campaign, for several reasons, was of considerable interest for an off year, due to several causes. In republican politics, the chief event was the meeting in Raleigh a few days before the state convention of a negro conference which discussed very freely and fully the treatment of the negro by the republican party. Declaring the negroes in North Carolina the true republican party since they cast nine-tenths of the votes, they passed resolutions demanding better educational facilities, a new election law, the repeal of the existing laws relating to county government, and a share of the offices. When the republican convention met the feeling of the colored element again manifested itself, but was quieted and the convention closed in apparent harmony. Charles Price was nominated for chief justice and W. T. Faircloth for associate justice. It was clear that the proposed Force Bill had the approval of the delegates, but all mention of it was omitted from the platform. Not all republicans felt this way, however. H. G. Ewart, a member of Congress, in June made a strong speech in the House against it, declaring elections in the state to be generally fair, and adding in explanation of Southern feeling towards the republican party: "The state governments fell into the hands of the most disreputable gang of thieves and plunderers that ever disgraced a nation, and the very name of Republicanism became a stench in the nostrils of all honest men.'' But such sentiments were rare among the Federal office-holders who as usual dominated the convention.

During the course of the campaign, on account of the growing demands of the negroes and the issue of the Force Bill a number of prominent republicans left the party. Notable among these were Francis D. Winston, William A. Guthrie, and Neill McKay.

One of the most interesting questions of the whole campaign was one injected into democratic politics by the radical members of the Alliance. Early in 1890 the *Progressive Farmer,* after some preliminary criticism of Vance, openly opposed his re-election to the Senate. Vance was so strongly entrenched in the affections of his party that the matter was treated lightly at first. But it soon appeared that the attitude of the Alliance organ was in fact representative of a considerable element of Alliance opinion, though of how great, could not be ascertained. The reason for the opposition was Vance's failure to press and support the sub-treasury bill which at the request of Polk he had introduced into the Senate and managed to have referred to a rather friendly committee, telling Polk that he could not promise any personal support for it. In June, Vance wrote Elias Carr, as president of the Alliance, that he was unable to support it in the form in which it had been presented, believing that it was unconstitutional. He at the same time urged moderation on the members of the Alliance, begging them not to make of it a new party and thus lose what they were otherwise certain to gain. In spite of the feeling against him, it was soon certain that he could not be defeated. But he took no chances. He was very active in the campaign and just before election he felt compelled to say that if any decision of the Supreme Court was found which would show the sub-treasury bill to be constitutional, he would vote for it. Even the result of the election did not reassure him and when on November 20th, Elias Carr wrote him to ask if he would obey instructions from the legislature, he replied that he accepted the doctrine of instructions and would obey or resign.

The election resulted in a clean democratic victory, the majorities being far larger than in 1888 and one more seat in Congress being gained. The explanation of the gain is to be found in the prominence of the Force Bill which the democrats used very skillfully, and the emphasis upon the negro which while less apparent was very real.



Senator Zebulon B. Vance

The legislative session showed the farmers better organized and more aggressive. It developed that they had all the democratic members and more than half of the republicans pledged to their demands. They had also pledged eight of the nine members of Congress chosen. As soon as the session began the question of Vance's election dwarfed all other matters as was always the case in North Carolina with senatorial elections until the advent of the primary. Just before the time of election, the democratic caucus adopted for presentation to the legislature a resolution of instruction to vote for the sub-treasury scheme. When Vance saw it, he declared that he would not accept an election under such instructions. There was much discussion in the party and a good deal of anger, but in the end the resolution was changed so as to instruct him to vote to secure the objects of the financial reform contemplated in the Ocala platform. Vance was willing to agree to this and accepted the election to which he received a unanimous caucus nomination, but he did not alter his opposition to the sub-treasury scheme.

The legislature was marked by a more progressive spirit than its predecessor. Ten thousand dollars was appropriated for a geological survey and J. A. Holmes was made state geologist. Twenty-five thousand dollars was appropriated for an exhibit at the World's Fair. The school tax was increased, a normal and industrial school for women, the present Normal College, a new school for the deaf and dumb, an agricultural and mechanical college for negroes, and a normal school for negroes were established, and increased assistance given the University and the Agricultural and Mechanical College at Raleigh.

In spite of bitter opposition from all the railroad interests, a railroad commission was established amid mournful forecasts of the dire results to the prosperity of the state. A committee was appointed to look into a proposition of the Wilmington and Weldon Railroad to pay $20,000 as an annual tax and receive in return certain valuable privileges, including the renewal of the expiring charter of the Petersburg road which the Wilmington road was operating. The committee reported favorably, but the legislature was firm in its determination to secure in time at least the full right of taxation, and so the charter was renewed for two years only and an act passed forbidding the construction of a parallel line. With the same purpose a bill was proposed designed to force the Raleigh and Gaston Railroad to pay taxes. There was no disposition to check construction and a large number of new roads were chartered.

After the adjournment of the legislature there was a general feeling in the state that any tendency of the Alliance towards the formation of a third party had been checked. In May the meeting at Cincinnati was held at which a new party was organized but there was little apparent inclination on the part of the Alliance in North Carolina to join in the movement. There was a general feeling that such action was useless since the Alliance now controlled absolutely the democratic party in the state. Alexander, Carr, Butler, and other leaders were opposed, the *Progressive Farmer* was apparently so, and Polk had nothing to say upon the subject. But when the state meeting of the Alliance was held in August it was apparent that the feeling of the delegates was far from being unfavorable to the new party. At the bottom of this was the failure of the democratic party in the country to accept the sub-treasury which the rank and file of the Alliance were inclined to regard as the specific for all financial and economic ills. Still no definite action was taken other than to endorse with emphasis the sub-treasury plan. Butler, who was elected president, was, as has been mentioned, opposed to a third party. Yet it was very clear to many that unless the democratic party went the whole way and swallowed the sub-treasury and free and unlimited coinage of gold and silver, accepting at the same time the domination of the Alliance in the choice of candidates, separation was certain. But neither the Alliance nor the democratic party faced the facts in the case.

In the meantime Polk, who was chosen in the fall president of the national organization for the third time, probably as the man most favorable to a new party, was using every effort to prepare the way for the People's party. His influence in the North Carolina Alliance was tremendous and his work highly effective. The *Progressive Farmer*, which of course reflected his views, began to advocate the entrance of the Alliance as a body into state politics. This, of course, would mean a third party. In October, Butler announced it to be the firm intention of the Alliance to stand by the sub-treasury scheme even if it split the democratic party, and a little later Polk declared his opposition to the re-nomination of Cleveland. Both maintained that there would be no third party, unless it was brought about by the intolerance of democratic leaders. There was of course plenty of intolerance among politicians and newspaper editors, but, on the other hand, any difference of opinion or honest criticism was construed as intolerance and proscription by the Alliance and resented as such. These were radical views. Such men as Elias Carr and Alexander opposed extreme views and action. Thus by the end of 1891 there was a real division of Alliance leaders into radicals—rule or ruin men—bent on carrying their every point and really hopeful that a third party would be formed, a more conservative element who would only as a last resort join in such a movement, and a group that could not be persuaded to join a third party. The members of the last two groups lost no occasion of pointing out that the Alliance could not hope for more in a new party than it already possessed in the democratic party; that it could not really get as much; and that the formation of a new party would mean inevitably the loss of the prestige and power of the Alliance and its becoming a mere side-show of the republican party in North Carolina. At the St. Louis conference in February, 1892, over which Polk presided, the North Carolina delegation opposed any third party action, but Polk identified himself with the movement.

The republicans in the State watched the movement with undisguised pleasure and very cleverly lost no opportunity of encouraging the progress of Alliance discontent. They could easily do this for the republican membership of the organization was negligible and had been all along rather unwelcome to the mass of Alliance men except when they desired to make the point that the movement was not partisan. Thus the republicans were able to see in the formation of a third party, with or without fusion, a strong probability of republican success. Therefore a considerable body of republican politicians devoted their energies to the promotion of a new party and, when it finally came, joined it, seeking to give it, so far as possible, into the control of republicans in the interest of fusion.

During the legislature of 1891, Jeter C. Pritchard, the foremost republican leader in the state, had declared that he regarded the county government issue as settled and the republican press in the main had agreed, but in the summer it appeared that it was to be revived and that many republicans were relying upon that and the third party to win in 1892. Talk began of a reorganization of the party on a white basis. Part of this was genuine since many republicans were heartily sick of the negro and of political identification with him. But in part it was intended only to offset the argument that the democrats were certain to use—which in fact they had used since the beginning of the movement. A protective tariff league was organized during the year as a part of this movement and an attempt made to interest the rapidly-growing group of manufacturers in the matter.

After the St. Louis meeting and the adoption of the platform there, Polk became an open advocate of the populist party as of course did the *Progressive Farmer*. It was said, but with what truth is not known, that he confidently expected to be nominated for President at Omaha. He had sufficient following in the state to alarm the democrats who began with real venom to denounce him, the populist party, and even the Alliance, vehemently emphasizing the fact that the sole result would be republican success. It was later said that they set out "to make Populism odious" in North Carolina. But it was mistaken tactics, serving only to alienate many who were friendly and strengthening the advocates of populism by making them appear martyrs. The press was particularly active and the *Progressive Farmer* in March was able to say: "It is well known that two years ago the Alliance together with its friends was the Democratic Party in North Carolina; yet now there is not one democratic paper in the State which champions the cause of the farmer."

By April the St. Louis platform had been repudiated by many Alliance leaders, including Elias Carr. Harry Skinner, while not condemning the platform, was opposed to any separate party organization. Marion Butler, president of the Alliance, lingered, endorsing the St. Louis platform, threatening the democratic party unless it accepted it, but confidently expecting to win the state convention. In June the executive board of the Alliance expressed dissatisfaction with the action of the *Progressive Farmer* and Polk at once announced that it had ceased to be the official organ of the Alliance.

In the meantime, Butler issued a call for an Alliance conference in Raleigh on the day of the meeting of the democratic convention. Undoubtedly this was intended to influence the convention. Trouble was brewing, for while extreme Alliance men urged the friends of the St. Louis platform to control the democratic primaries and convention, many democrats in retaliation wanted to exclude from the primaries and convention all who favored the St. Louis platform. Democratic leaders naturally demanded that none should be admitted to the primaries who would not agree to abide by the decision on nominees and platform of the party in state and nation. This was not welcome since Alliance influence was being exerted to defeat Governor Holt for nomination, accompanied with threats of independent action, and there was bitter opposition to the nomination of Cleveland for President.

When the democratic convention met, the elements opposed to Holt were in control and he was defeated by Elias Carr who had not been a candidate for the nomination. His selection was a triumph for the Alliance, but for the conservative wing.

Of leading Alliance men, Harry Skinner was present, and his name was presented for nomination for lieutenant-governor. He declined, however, to have it considered, stating that with his financial views his nomination would be unwise and that success must be won since the democratic party in North Carolina was the ark of the covenant. The platform was shaped by the same influences. It denounced the protective tariff, the force bill, and demanded financial reform, the relief of the agricultural classes, abolition of national banks, the issue of more greenbacks, the free coinage of silver, a graduated income tax, and the prohibition of alien land-holding and dealing in futures on agricultural products.

The only state question receiving any attention was that of education, better schools being demanded.

With such complete triumph all save the most radical element of the Alliance seemed satisfied. But preliminary steps were taken at the Alliance conference, on the same day which was attended by delegates from seventy counties, to organize the people's party in the state, and that was accomplished later in the month. Polk's name was presented for the presidential nomination at Omaha and S. Otho Wilson and Harry Skinner were elected delegates to the Omaha convention. Skinner at once repudiated this action as far as he was concerned. Polk died in June and the greatest influence in the Alliance and a very radical one was thus removed. Butler as late as July was apparently favorable to the democratic state ticket, and, while the question of a state convention of the people's party to make nominations was discussed, such action appeared unlikely. Up to this time there had been no Alliance criticism of the state government, but division on men developed and was followed rapidly by criticism of government which was increasingly vehement.

With the nomination of Cleveland, however, the radical element had a chance. The rank and file of the democrats were for him heart and soul but democratic politicians, led by Vance, liked him if anything less than did the Alliance radicals. Hoping to take advantage of this discontent which was not concealed, believing the current republican report that they would not nominate a state ticket, separate action was decided upon in July and a convention was called to meet August 15th. Alliance opposition to Cleveland was due to dislike of his attitude towards silver and the wide-spread belief that he was the friend of Wall Street, with all that such a thing then signified to the agricultural classes. The feeling was intensified by the attempt of the democrats to make his name a shibboleth.

The first populist convention was an interesting body. Marion Butler served both as temporary and permanent chairman although so recent a convert. In the convention were a number of republicans who had never left the republican party in reality but, more or less openly, were there primarily to assist in the defeat of the democratic party and if possible to engineer a fusion in the interest of the republican party. The platform adopted called for economy in state government, encouragement to education, agriculture, and manufacturing, a 6 per cent interest law, secret ballot, purity of elections, and the taxation of all railroads. It was in all respects an admirable document. Harry Skinner was then by acclamation nominated for governor. A sensation occurred when he took the platform and accepted only upon the condition that if the republicans nominated a state ticket and he saw division among the whites endangering white supremacy, he was to be free to say so frankly. His chief interest, he said, was in financial reform and if the republicans had a ticket he would vote for the democratic candidate. A tremendous demonstration of hostility followed and Skinner declined the nomination. He was, however, later nominated with Butler for elector for the state-at-large. For governor, Dr. W. P. Exum was nominated over J. H. Mewborne.

In the republican party there was genuine division. Some leaders like J. J. Mott and D. L. Russell desired no republican ticket in the field and the breaking of the race issue which would result. Others saw and publicly predicted what would happen if a ticket was nominated. In the West, however, there was widespread eagerness for a ticket and an aggressive campaign with emphasis upon the tariff as a national issue and county government as a state issue. This feeling coupled with a natural desire for the maintenance of party solidarity prevailed and on September 7th the republican convention met in Raleigh. It adopted a platform denouncing the election and county government laws, and nominated a state ticket headed by D. M. Furches.

All the parties went into the campaign in earnest although it is not likely that the republicans hoped to win. The populists were hopeful and intensely earnest. Public meetings in large numbers were held at which great enthusiasm was aroused, and twelve newspapers, of which the *Progressive Farmer* and Butler's *Caucasian* were the most important, assisted in spreading the doctrines of the party. The democrats very skillfully used the race issue and once more the

Force Bill played a large part in campaign argument. Many populists were so alarmed at the prospect of the return of the negro to power that they refused to support the ticket, and W. A. Guthrie, who had declined the nomination for associate justice of the Supreme Court, issued a public letter to members of the party urging them to beware of republican success. So effective were these arguments that it became apparent long before the end of the campaign that there was a real identity of interest between what was left of the people's party and the republicans.

General Weaver, the populist presidential candidate, visited the state in the course of the campaign but did little to help the party cause, the democrats making effective use of the bitter speeches against the South which he had made while a member of the republican party. Exum, the candidate for governor, attracted unpleasant attention by losing his temper in a debate with Charles B. Aycock, one of the democratic candidates for elector for the state-at-large, and slashing him with a knife. Aycock warded off the thrust with his arm and possibly thus saved one of the most valuable lives in the history of the state. He, with his colleague, R. B. Glenn, covered the entire state and thus began the establishment among the people of a reputation which steadily grew brighter with the passage of time.

The discovery of the existence of a secret political society among the populists, known as Gideon's Band, caused some excitement in the state, particularly among those who remembered the Ku Klux, and undoubtedly was effective in checking the growth of the party. Little or nothing is known of it. It was contrary to the state constitution and during the following year S. Otho Wilson was indicted in Wake Superior Court for membership. He entered a plea of *nolo contendere* and no further action was taken.

While the elections resulted in a rather sweeping democratic victory, the party winning the state and electoral tickets, eight out of nine members of Congress, and a majority in both Houses of the Legislature, the populists gave a good account of themselves for so young a party. In a number of counties, notably in Chatham, Nash, and Sampson they showed great strength. The best view of the election results can be obtained from the following tables:

STATE TICKET

Carr, Democrat	135,519
Furches, Republican	94,684
Exum, Populist	47,840

NATIONAL TICKET

Cleveland	127,763
Harrison	94,445
Weaver	43,772

THE GENERAL ASSEMBLY

	Senate	House	Joint Ballot
Democrats	47	93	140
Republicans	0	16	16
Populists	3	11	14

In these results was food for democratic thought. The vote for governor showed a shrinkage of republican votes from 1888 of almost 40,000 and of democratic votes nearly 13,000. The democrats with a plurality of approximately 40,000 were still 7,000 short of a majority of the total vote. The plurality of the electoral vote was about 33,000 in a much lighter vote, with more than 10,000 votes lacking of a majority. It was therefore clear that the democratic party could only hope for escape from defeat by inducing the malcontents to return, a thing which could only be made possible by a very successful democratic national administration and a period of agricultural prosperity. The populist party, as it existed, was definitely aligned with the republican party for the defeat of the democrats and if fusion could be accomplished without loss of strength, victory would be won. Populist feeling against the democrats, too, was intensified by the election. A section of the election law which had never been strictly regarded, requiring the full name to be recorded in registering, was invoked in a large number of cases by democratic election officials in order to disfranchise populists and republicans. Populists thus came to feel that they had been robbed of victory everywhere, and thus to hate the election law, all of which formed another bond with the republican party.

The legislature of 1893 was in no sense notable. It was a rather conservative body, thanks to the withdrawal of the more radical element of the Alliance. Party feeling showed itself strongly in the introduction of a bill to repeal the charter of the Alliance. This was nominally done at the request of members of the Alliance in order to protect certain funds of the organization and to prevent their being employed for the benefit of the populist party, but the real reason was partisan dislike of the Alliance. The bill failed to pass, but another bill amending the charter greatly limited the Alliance and made its destruction an easy matter. Apart from the manifest injustice and wrong of the law, it was the poorest politics imaginable. It consolidated a mass of Alliance opinion and feeling against the democratic party which lost the support of a large conservative element, and convinced the populists that the democratic party would stop at nothing in order to win. In a sense it made certain the continuation and growth of the populist party and insured democratic defeat at the polls at the next election.

The only other work of the legislature worthy of mention was the final securing from the Raleigh and Gaston and the Wilmington and Weldon railroads of a surrender of their exemption from taxation. This left exempt only the North Carolina Railroad which saw the handwriting on the wall and surrendered its exemption the following year.

The year 1893 furnished still more reasons for party division. The panic played directly into the hands of those who desired the overthrow of the democratic party. The quarrel of the President with the silver men over the repeal of the silver purchase law had a strong reaction in the state and the final passage of the repeal bill by a democratic Congress seemed final and conclusive proof that the party was dominated by ''gold-bugs'' and hence was not to be trusted. Vance won anew the affections of the populists by voting against the bill, but Ransom supported it and thus won an intensity of hatred from the populists which made them ascribe to him every evil quality to be found among members of the United States Senate. This feeling played no small part in securing fusion the following year.

By 1894, then, the potential strength of the populist party was much greater and its leaders, and no less its rank and file, were determined, at any cost, to secure democratic defeat.

CHAPTER XIII

FUSION AND ITS RESULTS

Although 1894 was an off-year, politically, it was highly important. A state treasurer, chief justice and three associate justices, and a number of judges and solicitors, besides the members of Congress and of the legislature, were to be elected. The legislature then chosen would elect two United States senators. Ransom's term expired in 1895 and Jarvis, who had succeeded Vance upon the latter's death in April, would hold his seat only until the legislature acted. It was by now an understood thing that Butler and Pritchard would replace them in the event that fusion could be arranged and should result in victory.

The populist convention met in Raleigh on July 31st. W. H. Worth was nominated for treasurer. A resolution was adopted declaring for a non-partisan judiciary, after which the convention nominated W. T. Faircloth, a republican, for chief justice; D. M. Furches, another republican, and Walter Clark and Henry G. Connor, both democrats, for associate justices.

The platform was devoted mainly to national matters, but it declared for a four months' school term and a reformatory, condemned the democratic party for extravagance and for failure to collect back taxes from the railroads, to execute the laws against trusts, and to prosecute the officers of banks which had failed through their fault or negligence. Democratic election methods were also condemned and by implication new election laws were demanded.

A week after the convention O. H. Dockery, V. S. Lusk, J. H. Young, C. M. Bernard, and H. G. Ewart issued a statement that a republican conference had been held in Raleigh at the time of the populist convention and had recommended co-operation with the populists on officers and had declared for the non-partisan judges already nominated. Undoubtedly at this meeting the details of fusion were agreed upon by the republican and populist leaders.

In the meantime Judge Connor, who had shortly before retired from the Superior bench, declined to accept the proffered nomination, declaring the Supreme bench as then composed, non-partisan. Attempts to induce him to reconsider failed, and it became necessary to look elsewhere for a candidate, and Judge W. A. Montgomery, a populist, was selected.

Early in August the democratic convention met at Raleigh and nominated Chief Justice Shepherd, and Associate Justices Clark, Burwell, and MacRae for re-election. The platform was devoted entirely to national matters, with the exception of the standard endorsement of the party's record in the state, and offered small hope of conciliation of the seceders and consequent victory.

The republicans did not hold their convention till September. The most important matter before it was that of fusion with the populists. This was carried and the populist nominations were made those of the republican party. The platform favored a new election law, the repeal of the county government law in the interest of local self government, and the passage of a law allowing the deduction from the value of taxable property of all debts. Much of the platform was devoted to national matters among which provisions it is interesting to note that while a protective tariff was endorsed, a declaration in favor of the free and unlimited coinage of silver at the ratio of sixteen to one was included.

The republicans made a most favorable bargain. In the division they received two members of the Supreme Court whom by no possibility could they elect alone. In addition there was the practical certainty of one senator and the control of the fusion legislature which would give them what they most desired, that is, a change in the system of county government and a new election law.

The campaign was one of much bitterness but the result was never in doubt. The democrats were listless and apathetic, conscious of their impending defeat and highly disgusted with political conditions. They had begun to feel a deep disappointment in the results of two years of democratic rule in the nation, the distribution of the spoils had left more than an ordinary amount of bitterness, and the panic of 1893 and the low price of cotton had caused a reaction most unfavorable to the party. There was really, as one sees it today, never any ground for a hope of success and, beyond the shock of overthrow there was not much democratic surprise at the result of the election which was a complete fusion victory, the democrats getting only four solicitors and one member of Congress besides Judge Clark, whom all parties nominated. Of the other offices the republicans got the lion's share, two members of the Supreme Court, three Superior Court judges, three members of Congress, and five solicitors, while the populists had the state treasurer, an associate justice, three judges, two solicitors, and three members of Congress. The legislature was politically divided as follows:

	Senate	House	Joint Ballot
Populists	24	36	60
Republicans	18	38	56
Democrats	8	46	54

The legislature met in January, 1895, Z. V. Walser, a republican, was chosen speaker of the House. The body had before it a difficult task. The democrats were in a hopeless minority, and while the fusionists had unlimited power, its practical exercise was difficult because of the division of the majority into two parties with differing principles, aims, and aspirations. There was no real kinship between the republicans and populists—few parties have ever differed more widely in principles—and they were bound together solely by common dislike of the democratic party and desire for victory. The rank and file of populists had a vague idea that fusion would result in large benefits to the people; the leaders knew that it would elevate them to office and power if it did nothing else. But fusion involved in the end the surrender of almost every principle of the party. The republicans were in no such evil case. They were better off because they had to surrender less to gain party advantage. Dependent upon the populists for every vestige of power, fully conscious of the slender tie which held them united, they, nevertheless, were able by the exercise of great shrewdness, aided by greater political experience, to get in the long run far the best of the bargain, and that without any appreciable sacrifice of principle. So far as the mass of populists were conconcerned, their direct net gain was nothing save the considerable gratification they experienced in seeing the democrats in a minority. Certain populist leaders, however, profited extensively.

Beyond all this was the fact that whatever action the legislature took, it would meet with the bitter and unqualified condemnation of the democratic opposition which was in no mood to see anything good in fusion or its fruits. In the background loomed like a threatening dark cloud the certainty of the reappearance of the negro in politics. The party in control, in the last analysis, owed their success to the solid negro vote. They could not disregard that fact even if they wished to do so. If the county government law was repealed, it meant ultimate negro control in a number of the counties of the East and in many of the towns. Negro rule had meant but one thing and that would spell ruin to the fusionists. On the other hand unless they yielded to the political pressure of the negroes, they were equally certain of destruction. The populists seem to have thought that after a short period of divided power they would be able to dispense with the republicans and so be rid of the onus of the negro for whom they had, politically speaking, small love. It was hardly to be doubted that a day of awakening would come when, disgusted with a political alliance with the negro, with memories of Reconstruction revived, they would return to the fold of the democratic party where in fact, in political faith, they really belonged.

The chief political interest of the legislature for the fusionists lay in the choice of the two United States senators. The republicans had wanted the long term, but the populists were insistent upon it and finally won, after making a definite agreement that two years later the republicans should have the succession to the short term. Accordingly Marion Butler was chosen to succeed Ransom while Pritchard was elected to fill out the unexpired term of Vance. The democrats supported for the former seat Lee S. Overman, and for the latter, Thomas W. Mason.

In legislation two matters were regarded by the fusionists as of paramount importance—the passage of a new election law, and the change in the system of county government which would put the control of county affairs in the hands of the localities.

The new election law which was finally passed had been described in pre-election promises as a sure guarantee of fair elections. In many respects it was worse than the old one which it replaced. It allowed colored ballots, the counting of tickets placed in the wrong box, and did away with all privacy of voting. Instead of adopting the Australian ballot this law really went in the other direction. One provision of the law perfectly reasonable and highly proper, at least for ordinary times, was much criticized by the democrats with utter unfairness, as regards the principle of the thing, but with considerable justice in the particular case. By providing that each party should have a judge and registrar at every precinct, appointed upon the nomination of the county chairmen of the party, the fusionists really gave to themselves complete control. The number of precincts was largely increased and a more expensive system was provided for. One very good feature was the requirement of a statement of campaign expenses. Another was the one requiring that the ballots be preserved. The provision of the old law providing punishment for its violation was omitted when it was repealed. Just after the election the fusionists had made charges of extensive fraud. Prosecution was promised but none came. A committee was appointed by the legislature to investigate the second district. The committee reported after investigation in Edgecombe, and hearing testimony from other counties, that there was no evidence of any fraud, and declined to visit other counties. Certainly if fraud was the democratic rule, it was departed from widely in this election. It was a favorite populist saying that the democrats had stolen 40,000 votes and were still defeated but there is no reason to think that there was widespread fraud.

It will be remembered that after the constitution was amended in 1876 so as to permit it, an act was passed by the legislature, taking the election of county commissioners out of the hands of the people and placing it in those of the justices of the peace of the county. The election of justices was then once more given to the legislature. This meant of course that the right of local self-government disappeared. It also meant that the government of every county in the state, regardless of its political majority, was democratic, and negro rule thus had become an impossibility. It worked a grievous hardship upon the republican white counties; it was a bad thing for all the counties in one sense, but there was, in the minds of the mass of white people, no room for doubt that it was better for all the counties to endure the denial of home rule rather than to expose the people of the East to the horrible fate that would be theirs should the system be changed.

The county government bill, called "an act to restore to the people of North Carolina local self-government," was carefully designed to give home rule and to restore to the East the conditions which had made Reconstruction a horrible memory. As a part of the same policy, the charters of a number of the larger towns, notably Wilmington, Raleigh, Greenville, Goldsboro, and Elizabeth City, were altered so as to change their government considerably. Wilmington was put into the hands of a police board, chosen by the legislature, which proceeded to appoint a large number of negroes to office. In this and the county government law, more than anywhere else the fusionists planted the mine, the explosion of which would destroy them and with them unrestricted negro suffrage.

By the new law the election of the county commissioners was taken from the justices of the peace and given to the people. All the governmental powers of the justices were at the same time transferred to the commissioners. There were doubts in the minds of the framers of the law which served only to increase their guilt and responsibility. As a manifestation of these, the power of passing finally upon the bonds of county officials was taken from the hands of the commissioners and given to the judges of the Superior Court of the district in which the county was situated. The judge was also directed, upon the affidavit of five citizens that the affairs of the county would be mismanaged unless a change was made and upon petition of two hundred voters to make the change, to appoint two additional members of the board of commissioners of another party than the one having a majority.

The fusionists, like all parties coming into power were hungry for office and keenly interested in displacing those who were in. A law was passed providing for the addition of nine new directors of the penitentiary and making all employes removable after April, 1895. The state librarian was ousted. A bill was introduced to abolish the existing railroad commission, the underlying purpose being to establish a new one with different incumbents. This failed to pass. Bills intended to turn over to new officers the Board of Agriculture and the A. and M. College, the North Carolina Railroad and the Atlantic and North Carolina Railroad failed only because they came up at the end when a quorum could not be secured. Provision was made for three new magistrates in every township in the state. As there was already a sufficiency of magistrates the addition of 3,591, with an appropriation of $26,000 for furnishing them with the necessary copies of the laws, was for one purpose only. More than 100 of the new magistrates were negroes. Two new criminal courts for groups of counties were created and Charles A. Cook and H. G. Ewart, both republicans, elected judges. The former county courts were a charge upon their respective counties but the expenses of these were to be borne by the state. A code commission consisting of two republicans and a populist was decided upon but failed to pass its third reading in the Senate. The public printing was let out, after advertising for bids, considerably above the lowest bid. To themselves the members of the legislature, following a custom, common in North Carolina and elsewhere, gave a large number of appointments as trustees, directors and the like.

The legislature failed to carry out much that the populists, at least, had expected of it. In spite of the agitation for better schools, no change was made in the school law other than to abolish the county superintendents, the county boards of education, and raise the school tax rate 2 cents. The schools were put in the hands of county commissioners. Elected on the issue of retrenchment and reform and pledged to reduce salaries and fees and to economize in every direction so as to lower taxes, they did not lower salaries or fees, or in general economize. Appropriations were not in most cases decreased, nor in fact should they have been, for in that direction at least there was no extravagance. There is scarcely any doubt that the University, which was unpopular because of the long and bitter fight made upon it by certain of the denominational colleges, and the belief of the farmers that they were not concerned in its welfare, would have been forced to close its doors but for the influence and labor of Marion Butler who steadfastly opposed such action. The state guard appropriation was also cut $20,000 and the soldiers' home $2,000. The total amount of appropriations was increased $125,000. In some small ways the legislature was extravagant, as in having more clerks and pages than were needed. But the total cost of the legislature only exceeded that of its predecessor by a little more than $6,000. Taxes were increased under the new revenue law, going from 39 cents on the $100 to 43. The 6 per cent interest law was finally passed but no anti-trust legislation was completed and the republicans, in spite of the fact that their platform had declared for it, succeeded in defeating any endorsement of free coinage.

The legislature, naturally, was composed largely of inexperienced men. Some of the majority members had served before and a few of the figures of Reconstruction reappeared. "Gizzard" French, one of the most notorious of the evil brood of carpet-baggers again insulted honest men by his presence in the House. Another carpet-bag member of the convention and legislature, H. L. Grant, was a member of the Senate. The business of the legislature was directed by a small group of leaders, dominated for the most part by the republicans. Occasionally they broke from the rather strict restraint in which they were held and sometimes the unexpected happened. One of the things which did more to bring the legislature into contempt than anything else was the passage by the House of a resolution, introduced by a negro member, in honor of Fred Douglass, who had just died, after adjournment in honor of Lee's and Washington's birthdays had been refused. The attempts at explanation of the fusionists helped the case but little, and democratic resentment, already keen because of the election of a negro as doorkeeper over a one-legged Confederate soldier, was intensified. It had one interesting result immediately. Earlier in the session the legislature had been petitioned by the Ladies' Memorial Association to appropriate the amount of money necessary to finish the Confederate monument in Capitol Square. This had been refused, but it was now suggested that it would be well to do something to palliate the hideous offense of which they had been guilty and to conciliate the opposition, and consequently an appropriation of the necessary $10,000 was made.

One of the acts of the legislature, which escaped notice until after adjournment, provided all conditional sales, assignments, mortgages, or deeds in trust which should be executed to secure any debt, obligation, note, or bond which would give preference to any creditor absolutely void as to existing creditors. As a result time merchants refused credit for fertilizer and provisions and the banks took a similar stand. Thinking that the court would construe it to apply only to pre-existing debts, a test case was brought and the court so construed it. This decision gave some relief, but the law was a serious menace to business. It was soon discovered that the bill although enrolled had never passed either House. Governor Carr then sought by suit in Wake Superior Court to enjoin Octavius Coke, the secretary of state, from publication of the bill as law. The case went to the Supreme Court which, according to precedent, declined to go behind the signatures of the presiding officers of the two Houses. Later on the two enrolling clerks were indicted and convicted for the offense, a proceeding which fusionists generally pronounced political persecution.

Politics played no great part in the life of the state after the adjournment of the legislature. Democrats were free in their predictions that the populist party being dead because of fusion, the coming year would see the democratic party restored to power through a complete victory. The populist party was dead, but populism was much alive and still a vital factor in political thought and action and as time passed it became increasingly evident that success would come only to the party with whom the populists fused. Leaders of the two old parties began to flirt with leading populists. In this the advantage lay with the republicans because of their past and, as in a sense it must be regarded, existing, alliance. Then too since most of the populists were former democrats they were, with the zeal of converts, very bitter against their old party. Nor was the democratic party yet transformed by defeat and the retirement of its older men who were out of all sympathy with new and progressive ideas. The republicans, on the other hand, had at the time only one absorbing interest which was to defeat the democrats once more and secure as complete a victory for themselves as possible.

In the meantime an interesting situation had developed with respect to the institutions of one sort or another which the fusionists had attempted to control. The law establishing a criminal court for the counties of Buncombe, Madison, Haywood, and Henderson was ratified on February 23d. On February 27th, the legislature elected H. G. Ewart, a republican, judge. On March 12th, Governor Carr refused him his commission, claiming that it was the governor's place, not the legislature's, to fill vacancies, and on the following day he appointed Thomas A. Jones to the position. The matter came to the Supreme Court and the court, Judge Faircloth writing the opinion, held that since the legislature had reserved the right of election there was no vacancy. Quite another result attended the appeal in the case of the other criminal court established for Craven, New Hanover, Mecklenburg, Warren, Vance, Robeson, Edgecombe, and Halifax. The law was passed on March 8th, but was not ratified until March 12th. In the meantime, on March 9th, the legislature elected C. A. Cook, a republican, judge. On March 13th, the governor appointed O. P. Meares judge, claiming that as there was no court provided for by law at the time of Cook's election, there was a vacancy which he had the right to fill. On appeal the

Supreme Court, Judge Furches rendering the opinion, upheld the governor's contention.

In the case of the state library, the legislature repealed that part of the law which gave the board of trustees the power to elect a librarian and conferred it upon the legislature. E. D. Stanford was then elected. J. C. Birdsong, the librarian, declined to yield and the Supreme Court, Judge Furches rendering the opinion, sustained him on the ground that a quorum was not present when the bill was passed. After this decision the new penitentiary board which had elected W. H. Kitchin to succeed Leazer and had been resisted by the latter, yielded as did the other claimants for directorships.

In the summer of 1895 the North Carolina Railroad was leased to the newly created Southern Railway for ninety-nine years. The thing was hastily done without reference to public opinion and was bitterly unpopular. The lease was declared illegal by many good lawyers and preparations were made to test it in the courts, the Alliance, particularly, being actively interested in this. Governor Carr, who had as a fixed policy the placing of all railroad property upon the tax-books, had been largely instrumental in bringing the lease about and defended it to the end. The general feeling was that a bad bargain had been made in view of the length of the lease, and since the state road was absolutely necessary to the Southern, that better terms could have been obtained. This was doubtless true. Another charge was that the Seaboard would have made a better contract. The outstanding benefits of the lease were the guarantee of a high interest rate on the stock and the through rates and connections which it made possible. The matter caused great excitement and was at once a political question, both populists and republicans, as well as many democrats, opposing the lease and demanding that it be broken.

The outstanding difficulty of the republicans and populists in fusing again was of course the arrangement to be made in regard to the distribution of offices. A suggestion of fusion on the electoral ticket seemed absurd, particularly after the republican national convention of 1896 declared for the gold standard. The populist executive committee suggested a non-partisan silver ticket but that met with no approval from democrats, republicans, or populists. The republican party in North Carolina was full of silver sentiment and had repeatedly endorsed free coinage, but the declarations and tendencies of the national party controlled the state party with small dissent. Dr. J. J. Mott was the leader of the silver forces in the party but his influence was negligible. Silver sentiment was of course very strong in the democratic party but it was a question if it could effect fusion. Probably to test out the question a silver convention was held in Raleigh in September, 1895, which was attended by a considerable number of democrats. Judge James C. MacRae presided. Butler was in complete control and carried through a resolution pledging that support would be given none but silver men. Some of the democrats sought to make it less rigid saying frankly that they did not propose to leave their party, but the amendment was defeated. In February, 1896, a conference was held in Washington, at Senator Butler's invitation, at which were present Ed. Chambers Smith, R. B. Peebles, from the democrats, Guthrie, Shuford, and Butler from the populists and Mott from the silver republicans, the last soon to be chairman of the executive committee of the national silver party. A plan of democratic-populist fusion was agreed upon, the democrats to have the governor and all state offices then filled by them, Worth to be re-elected treasurer, three seats in Congress to go to the democrats, three to the populists and a union to be arranged on the three then held by the republicans. All democratic and populist county officials and members of the legislature were to be left untouched and the democrats were to have all the places held by republicans. This would of course give them control of the legislature. The plan met with a cool reception from populists, as was to be expected, although many were rather sore with the republicans and inclined toward an alliance with the democrats. Part of this was due to silver feeling. That it met if anything a cooler one from the democrats is surprising since they could not hope for better terms. Indeed many democrats desired to accept and the advocates of fusion in the party increased steadily throughout the campaign. Republicans were alarmed and worked incessantly to prevent the consummation of the arrangement which could spell for them only disastrous defeat and the loss of not only the lion's share of the state ticket upon which they had confidently counted, but also of the senatorship of which they had been certain.

In April Senator Butler sent out a circular to the populists in which he said the populists could support no man for governor or senator who would vote for a gold man for President, and urged them to go slow on the question of fusion. He and Pritchard had recently broken and this may have been the beginning of the fight on the latter. Few republicans were willing to be bound by such terms. They desired, it is true, a silver man for President, but if a gold man won the nomination there was no doubt in their minds as to their hearty support of him. Later in the month a great fusion conference was held in Raleigh at which the populists demanded republican support of free silver as a sine qua non of co-operation. The republicans occupied the same position here that they did with respect to the candidate for President; they would endorse the platform and support the ticket without question. Accordingly they refused the offer and replied with terms of their own. According to these the republicans were to nominate and the populists endorse the governor, attorney-general, auditor and one justice of the Supreme Court. The populists were to nominate and the republicans endorse the lieutenant-governor, secretary of state, treasurer, superintendent of public instruction and one justice. There was to be co-operation in respect to members of Congress and of the legislature, the republicans having the senatorship. Each was to nominate and run separately their own electors. The populists at once declined to consider this arrangement.

The republican convention met in Raleigh in May and after a furious contest nominated D. L. Russell for governor by three-sevenths of one vote over Oliver H. Dockery and James E. Boyd. The nomination was only secured by seating twenty-two contesting delegates from five counties which were apparently clearly for Dockery. Z. V. Walser was nominated for attorney-general, Ruff Henderson for auditor and R. M.

Douglas for justice of the Supreme Court. The other places on the ticket were left open presumably for the populists to fill when fusion should be accomplished. The platform was devoted chiefly to national matters and declared against the "retirement of greenbacks, the money of the people, the money favored by Lincoln." The portion relating to state affairs was of course full of denunciation of the democratic party, but the new county government and election laws, passed by the fusion legislature, received hearty endorsement and were declared to be of paramount importance. The section is worth quotation. "The vital and paramount issue for North Carolina in this campaign is the preservation of the great reforms enacted into law by the last General Assembly, to wit: local self-government and honest elections. No differences as to questions of currency and questions of tariff should deter us from standing together for the right preservative of all rights, the right to vote and have that vote honestly counted." Non-political management of public schools was demanded. The silver question was skillfully straddled.

Russell had in the past characterized the negroes of the South as largely savages, who "stole all the week and prayed it off at church on Sunday," and who were "no more fit to govern or have a share in governing than their brethren in the swamps of Africa," but in this campaign he promised them a full share of the spoils, or, as he phrased it, "oats and fodder." This was but a vain promise in view of the small patronage at the governor's disposal. In his speech of acceptance he declared that he had been suckled at the breast of a negro woman and stood for the negroes. Plausible as he made his various allusions to the colored members of the party, his views were well known and the negro leaders did not trust him. Finally early in July a convention of colored republicans, representing sixty-five counties, assembled in Raleigh and adopted resolutions calling upon every negro in whose heart there was still a spark of self-respect and manhood to exert himself to the utmost to defend the honesty and integrity of their race by doing all in their power to defeat

Russell's election Loyalty to the national party was declared and the candidacy of W. A. Guthrie for governor endorsed.

In June the democratic convention met with ninety-five of the ninety-six counties represented. Three names had been prominently mentioned for the head of the ticket, Julian S. Carr, Judge Walter Clark, and Cyrus B. Watson. It was not a position at all sought for since defeat was well-nigh certain and both Carr and Clark declined to allow the use of their names. Both had already been endorsed by a number of counties. Watson did not desire the nomination but pressure was brought to bear upon him and he finally consented to accept. The platform was chiefly devoted to national affairs, containing a demand for free silver and denouncing the gold standard and the McKinley tariff as "twin monsters going hand in hand on their mission of destruction." On state questions it was colorless and lacked vitality. A fair election law and the impartial administration of the criminal laws were demanded and the party pledged itself to the continuance of the "system of public education established by the democratic party." Because of bitter opposition to the lease of the North Carolina Railroad and the consequent unpopularity of Governor Carr, the convention abandoned precedent and failed to endorse his administration.

The nomination of Bryan for President by the democrats and his endorsement by the populists seemed to make the way easier for democratic fusion with the populists. On July 3d, the populist executive committee, composed of Marion Butler, W. A. Guthrie, A. S. Peace, W. H. Kitchin, and Harry Skinner, met in Raleigh and invited the silver party to join them in convention in August. They also considered the question of fusion with the democrats. Just before the meeting of the populist convention on August 13th, Butler as chairman of the executive committee submitted to the democratic committee a proposition for fusion. By its terms the democrats were to have six and the populists five electors. On the state ticket the populists were to have the governor, treasurer, and superintendent of public instruction and the democrats were to have the lieutenant-governor, secretary of state, auditor, attorney-general and United States senator. Or if the democrats preferred, they could take the governor, attorney-general, and superintendent of public instruction while the populists took the rest. Each party would nominate one associate justice. As concerned the members of Congress the democrats were to nominate in the second, fifth, eighth and ninth districts while the populists would select the candidates for the first, fourth, sixth, and seventh. The ninth was to be open for contest. In the counties, "the two executive committees were to use their good offices to secure a fair and honorable division of county and legislative candidates between the two parties in an equitable ratio similar to the above division of state and congressional offices."

The democrats declined the proposition, claiming that it was highly unreasonable and that by it the party had nothing to win and everything to lose. They did, however, offer electoral fusion. They felt strongly that the populist leaders, particularly Butler, had sought to make the fusion proposition of such a sort as to force a democratic refusal upon which they could go before the people with the contention that the democrats were insincere and so check the impending populist revolt against Butler and fusion with the republicans. This may or may not have been true. The probability is that the populist leaders, conscious of their strong position in the campaign, sought to make the best bargain they could. In any event, they did not fail to accuse the democrats of insincerity, stating that since their platforms were much alike there was no obstacles to fusion save the greed of democrats for office.

When the populist convention met, with every county save Chowan represented, there was a strong contest between the Butler element and the middle-of-the-road men who did not want further fusion with the republicans. The latter won the first round with the election of Skinner as permanent chairman. When the nominations came, W. A. Guthrie was nominated for governor over Cyrus Thompson. Oliver H. Dockery, who had been defeated by Russell for the republican nomination for governor, was nominated for lieutenant-governor. He was at the time an ardent silver man. Butler presented the name of Zebulon V. Walser, the republican nominee, for attorney-general. The opposing faction was very bitter at this attempt to force fusion and no nomination was made for that office or for associate justice. Cyrus Thompson was selected for secretary of state, W. H. Worth for treasurer, H. W. Ayer for auditor, and Charles H. Mebane for superintendent of public instruction. In making the nomination, the middle-of-the-road faction won.

The platform endorsed the election and county government laws, demanded that the legislature make all coins of the United States, including the trade dollar, legal tender, favored legislation prohibiting gold contracts of all kinds, demanded revision and improvement of the school laws, low freight rates, an anti-pass law for public officials and condemned in unsparing terms the democratic party for the lease of the North Carolina Railroad to the Southern Railway and for failure to enforce the laws against trusts. The republicans, through the state committee, at once endorsed the nominations for secretary of state, treasurer, and superintendent of public instruction. Gubernatorial candidates still remained in the field as did those for lieutenant-governor, the republican committee later choosing C. A. Reynolds.

The populist leaders still dickered for electoral fusion with the republicans and ignored the matter of agreement with the democrats. The republicans expressed their willingness to divide the electoral ticket, regarding it as a very good bargain in view of their small chance of carrying the national ticket. But it began to look as though the republicans would succeed in breaking the Solid South with North Carolina. Butler's position was one of considerable difficulty since in August he was chosen chairman of the national committee of the people's party. But in September, Bryan visited the state and arrangements for fusion were begun. Soon after, the democratic, populist and silver parties agreed upon a plan. The democrats and populists were each to have five electors and the silver party one. This did not, however, stimulate the populists to fusion on the state ticket, and finally, in the middle of October, when it was fairly clear that Russell was certain to win, the democratic committee invited the populists to a conference in the interest of fusion, at the same time offering to endorse Guthrie for lieutenant-governor, and later to elect him senator, Thompson for secretary of state, Worth for treasurer, and Montgomery for associate justice, and to concede four members of Congress, the two parties to combine on the legislative tickets. The populist reply was a cool refusal coupled with a suggestion that if the democrats regarded Russell as a menace, they would do well to support Guthrie.

The campaign drew on to a close with Guthrie using all his influence to prevent the populists from supporting gold men. Fusion with the republicans on county tickets was by now general. There was a similar co-operation on members of Congress where four were nominated by the republicans and five by the populists, and on the legislative tickets where the republicans were playing with the populists, for while offering fusion on apparently liberal terms, in a large number of cases they dictated the nominations to the legislature by exercising a sort of veto. But, still there was no agreement as to the governor. According to the populists, the republicans promised that Russell would be withdrawn and that he refused. Pressure was then exerted to bring Guthrie down and he not only would not come down but insisted upon publicly condemning the sacrifice of principle by the populists that was involved in supporting "gold-bug" republicans for Congress and for the legislature where a United States senator was to be chosen. By this time populists had forgotten such things in their eagerness to win and the full machinery of the party, in control of H. W. Ayer, who had finally secured the withdrawal of his republican opponent, was directed against Guthrie. He issued a statement that in view of his behavior no true populist could vote for him. As a matter of fact populist leaders had found it impossible to control Guthrie, where principle was involved, and were glad of an excuse to cut loose from him.

When the election came Bryan carried the state by a majority of about 19,000 and Russell won with a plurality of something more than 8,000, Guthrie receiving 30,000 votes. Five populists, three republicans, and one democrat were elected to Congress. The democratic exception was William

W. Kitchin who, accepting a forlorn hope in the Fifth District, unhorsed Thomas Settle who had held the district for two terms and seemed secure. Fusion was successful in seventy-five counties. The legislature stood as follows:

	Senate	House	Joint Ballot
Populists	25	39	64
Republicans	18	54	72
Democrats	7	26	33
Silver		1	1

The republicans had outplayed Butler and the populists. Butler's ultimatum had been free silver, a populist governor and a populist legislature, and none of these had been secured. The republicans had won the lieutenant-governorship which they had conceded to the populists.

The legislature met and organized. A. F. Hileman, a populist, was chosen speaker of the House. There were many reasons for the belief that the session would not be as harmonious, as concerned the fusionists, as the preceding one, for both elements were somewhat inclined to soreness and hence party division was more acute. The republicans were inclined to be somewhat highhanded in their treatment of their allies, were on the whole contemptuous of them, and sought to ignore them when possible. The populists, for their part were getting tired of being used by the republicans, they wanted a larger share of the offices, and many were restive under the rule of Butler which grew increasingly difficult to bear as was evidenced by frequent bursts of temper on the part of populists, accompanied frequently by bitter denunciation of him and of his methods. A large proportion of the populists in the state were politically ignorant, inexperienced, and prejudiced, but they were conscientious and devoted to principle. They were now beginning to see that the net result of fusion in the way of the economic and social betterment of the people was nothing at all. Intense in their essential democracy and bitter against the democratic party because they believed it controlled by bosses, they found that the destinies of the populist party were in the hands of an oligarchy, with a steady tendency towards autocracy and that democracy in party control was further away than in the old party. As a result of all these things there were factions in the party and factional differences among the leaders. Lines of cleavage with the republicans appeared and unity was lacking.

Governor Russell was inaugurated on January 12th. He was a man full of bitterness who had made an unenviable record in the Confederate army and had carried the stigma all his life. His abilities were far from mediocre but a fiery temper and the intensity of his prejudices, particularly against what he termed "the aristocracy" in North Carolina, fostered in him a partisanship which was apt to control him in all things. His inaugural address began with the identical words of Vance in 1877, "There is retribution in history," but there the similarity ceased. Vance's address had indeed been full of rejoicing at the redemption of the state, but the spirit of the thing was fine and it was forward-looking. In Russell's opening paragraph was poured out the bitterness of his soul as he described a condition of affairs which had never existed in North Carolina, imagination painting for him the entire picture. He then turned to a commonplace discussion of the tasks which he saw before his party. There was no vision in the speech, no conception of the opportunity of his party to gain and hold the confidence of the white people of North Carolina. His first suggestion was that drunken judges be removed, this being directed at one of the democratic judges who was periodically intoxicated. No one can dispute the need of his removal but an isolated case scarcely furnished material for the opening of an inaugural after twenty years of exile. He commended the election law; properly enough, demanded the suppression of mob rule and lynchings; advised retrenchment in expenditures, and the regulation of the railroads; and urged the invalidation of the lease of the North Carolina Railroad, for which he condemned his predecessor and made strong intimations of the existence of fraud. He congratulated his party upon breaking the Solid South with North Carolina and closed with the absurd imperialistic suggestion that the United States should seize and occupy all the remaining regions of the earth which were open for exploitation.

The governor and his party were entirely confident of the future. No doubt entered their minds of their ability to absorb the populists and permanently control the state. The weakness of the tie which made fusion possible and the menace to continued party supremacy which the strong and solid negro vote constituted was not at the time considered. A prophetic expression, based upon hope, certainly, but also upon a very real knowledge of the people of the state was that of Josephus Daniels in the *News and Observer* the morning after the inauguration:

> Those who believe that a party where eight-tenths of its members are negroes can long remain in power in North Carolina do not understand the genius, the temper, and patriotism of the people of this commonwealth. Four years will mark the duration of its tenure of power.

The question of primary interest before the legislature was the senatorial election. By the time the session began there was considerable doubt of the result due to the bitter opposition of many populists to the re-election of Pritchard. At the time of his election he had been a strong advocate of free silver, but in 1896 he had apparently been converted to the gold standard and had endorsed the St. Louis platform of his party. Many populists thought this fact absolved them from support of his candidacy, whatever might have been the agreement between the leaders of the party. The more conscientious demanded that the republicans replace him with some silver republican for whom they could vote without sacrifice of principle. A considerable minority favored his election in accordance with the agreement. Butler was personally silent on the subject in public but there was little doubt as to where he stood for his paper, the *Caucasian*, was bitterly opposed to Pritchard's election and most outspoken in condemnation of populists who would vote for a gold-bug. In the meantime the republican caucus nominated Pritchard who it seems had written a letter in which he declared himself still a silver man but acknowledged that he had become convinced that international agreement was necessary before it was practicable.

The democratic caucus aware that there was no possible hope of electing anyone from their party and keenly anxious not only to secure a silver senator but also to procure the defeat of the republicans and spoil the combination of their opponents, made a formal offer to the populist caucus of a conference with a view to united action in electing a silver man. Guthrie was probably the man they had in mind. The offer was entirely ignored.

The populists, in the meantime, were finding it a difficult matter to maintain party discipline or in any way secure unity of action. The leaders still confidently claimed that Pritchard could not be elected but when the caucus met to consider the senatorial matter, there was a bitter quarrel over the time allowed the advocates of Pritchard's election, and finally this resolution was offered and adopted: "Resolved, that it is the determination of this caucus never to endorse Senator Pritchard for the United States Senate." Immediately twenty-three of the members withdrew from the caucus. With this action there was a clear-cut division of the party, Butler heading the majority faction which opposed Pritchard, and Skinner, the minority which desired to carry out the party pledge made two years before. Finally the caucus nominated Cyrus Thompson, but the bolters did not return.

National attention was directed to the situation and pressure was exerted in various ways. Both populists and democrats made loud charges that Hanna had sent a "barrel" to be used for bribes and there were varied charges that promises of Federal patronage had influenced the bolters. There is no evidence of bribery but offers of Federal spoils were doubtless freely made; at least, it would have been an extraordinary case if they had been lacking. The statement was made later and not contradicted that within a year every bolter who voted for Pritchard had been given a Federal office.

When the election came, Pritchard, with the aid of seventeen of the bolting populists was elected, the democrats voting for R. A. Doughton, the late lieutenant-governor. Pritchard was easily the strongest man of his party and he had won the respect and admiration of his political opponents. Even so strongly partisan a newspaper as the *News and Observer* which disagreed with him on every political question, contained the day after his election a long editorial which spoke admiringly of the man and congratulated his party upon his election. Not so Butler. The populist caucus, after permanently excluding the bolters, adopted a series of resolutions said to have been written by Butler which, in addition to bitter denunciation of Skinner, contained the following paragraphs:

> The election of Mr. Pritchard, the candidate of Hanna, Sherman and Wall Street to represent the silver sentiment of North Carolina in the United States Senate discovers a startling crisis in the history of the People's Party. He could not have been elected by Republican votes. He was elected by those who call themselves Populists, and at a time when they could as easily have elected a Populist. Populists who fail in a critical hour to stand for Populist principles are not the Populists in whose hands and under whose leadership the principles of the party can be carried to victory. . . . . Before nine o'clock this morning agents, including pie-counter Republicans and bolting Populists, were approaching members of the People's Party and every visiting Populist in Raleigh who favored the election of the People's Party nominee for United States Senator by seductive pleas of persuasion and subtle sophistry and by direct propositions and overtures, coupled with considerations.
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> * * * * * *
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> As the livery of heaven is stolen to serve the Devil in, so every crime committed against the integrity of the People's Party and its essential principles will be attempted in the name of "Coöperation." Already the Populist supporters of Hanna's man begin to call themselves "coöperative Populists," when in truth they are nothing but Republicans, while attempting to better serve the purposes of the Republican Party by masquerading as Populists. By their fruits ye shall know them.
>
> We have desired the continuance of coöperation upon honorable grounds. Coöperation which tends to destroy our organization or compromise its principles is suicidal. Such coöperation, therefore, cannot be permitted or tolerated. The only way by which the People's Party can be able to maintain its existence, strengthen its lines, and by its growth be in a position to command honorable coöperation is by purging from its ranks all who place self above the welfare of the people. This purging must be done. It cannot be begun too soon.

Nevertheless, soon after the election, the populist caucus announced its readiness to carry out the agreement of cooperation with the republicans. The latter did not reply, and on January 27th, the populists issued an address denouncing Skinner, the bolters, and the republican party, and condemning fusion. A resolution was also passed declaring that by the action of the republicans the contract of co-operation was at an end "and that, therefore, all connection and negotiations from this caucus to them be closed." Immediately the minority populists replied with a furious attack upon Butler. Such were the political amenities of the day.

The senatorial election had absorbed the attention of all and until it was over nothing was done. Then and then only were regular legislative matters taken up.

Both populists and republicans had laid chief emphasis since 1895 upon the county government and election laws, as entitling them to a fresh grant of power. Both were now altered; in the former by striking out the provision for the appointment upon affidavit and petition of additional county commissioners, in the latter by making provision for a county board, consisting of the clerk, register of deeds, and chairman of the county commissioners, which should appoint a registrar and a judge of election from each party. This meant under existing political conditions partisan control of elections and was so intended. To insure the party regularity of the illiterates an official party ballot with a device was provided for and stickers were made illegal. With these changes the election law became far worse than the one which it replaced which had been so vehemently abused. There was little in the new one to prevent wholesale fraud. During the course of the session the republicans drafted an election law which was far worse and which failed of passage.

The most important and beneficial act of the legislature was the passage of the new school law which was excellent. Another law set aside $50,000 to be used in assisting such localities as voted special school taxes, elections on the question being required. Under the new provisions and guided by Charles H. Mebane, the educational revival of the state now began.

A new revenue law was passed which made the tax rate 46 cents and the poll tax $1.29. This was later carried to the

Supreme Court and by it declared unconstitutional because the equation was not preserved, and so the rate of 1895 was restored.

In pursuance of the plan to obtain control of the state institutions, the legislature chartered the three hospitals for the insane under new names and with new boards. The old boards resisted and the Supreme Court upon appeal decided that a change of name, or even the abolition followed by immediate re-establishment, of an institution, did not operate to remove the officials. But control was finally obtained of the railroads, the Board of Agriculture, the Agricultural and Mechanical College and the School for the Blind. Of the last-mentioned, James Young, a negro was made director and became the controlling member of the board. No single act of Governor Russell provoked such keen indignation as this.

Probably the most absorbing question before the Legislature was that of the railroads. Laws were passed providing for the redemption of unused mileage, modifying the fellow-servant law, and increasing the power of the railroad commission. An attempt was made to abolish the commission but it was fruitless. Whether it was serious or intended only to oust J. W. Wilson, the last remaining democrat, is unknown. All efforts to secure the passage of an act prohibiting public officials from using railroad passes failed. Such an act was said to have been passed in 1895 and stolen before publication.

The chief railroad question was of course in relation to the lease of the North Carolina Railroad. Governor Carr, in his message, had invited investigation and Russell had attacked the transaction in his inaugural and demanded that it be set aside. With governor, republicans, populists, and many democrats violently opposed, some definite action by the legislature might have been expected, but there was none. A commission was appointed to investigate the charges of fraud and witnesses were examined but there was no result nor any appearance of fraud. As a matter of fact, there had been none. The governor, for the state, had been convinced of the wisdom of the lease and the directors on the part of the private stockholders were in the main equally favorable. During the session Raleigh was thronged with a numerous and powerful railroad lobby and great pressure was brought to bear upon the members. The Southern Railway sought a confirmation of the lease from the legislature but was unable to secure it. The House passed a bill to annul the lease but the Senate refused it, passing in its stead a bill reducing the term of the lease from ninety-nine to thirty years. This was refused by the House. It finally seemed likely that the governor would be instructed to test the validity of the lease in the courts and Judge Simonton of the United States Circuit Court issued an injunction restraining the governor from interfering with the lease. Later on, certain private parties were similarly enjoined by Judge Parnell of the United States District Court. The governor quite naturally and properly denied Judge Simonton's jurisdiction, but he was forced to yield and a year later, apparently entirely satisfied with the situation, he confirmed the lease.

The process of altering town charters in the interest of republican governments therein, begun in 1895, was continued at this session. In his inaugural Governor Russell had intimated that something must be done to protect property and the minority against the majority. It developed that this protection in the case of New Bern and Wilmington was to be secured by giving the governor the power to appoint an alderman for each ward in addition to those elected. Not only a travesty upon the much vaunted local self-government, it was also, in the minds of many citizens of those communities, a remedy as bad if not worse than the disease. Under the operations of the new charters the two towns fell upon evil days. The charter of Raleigh was amended but, contrary to expectation and intention, the town went democratic. Attempts to change the charters of a number of other towns in the East failed. Greenville, condemned to suffer sufficiently under the change of 1895, by which it was put under negro control, was on the point of worse punishment but was spared through the efforts of a populist senator.

The session was not lacking in quarrels. At times the order of the houses was bad and once policemen had to be stationed in the lobbies to prevent trouble. All of this was of course magnified by the opposition. One of the most interesting of the factional quarrels grew out of the refusal of the enrolling clerk, one Swinson, to accept two new negro assistants who were pressed upon him, on the ground that it had already in the month of February cost $1,500 to do $6 worth of work at the current rates of copying. Further he was determined not to have any negroes in his office. Attempts to bring him around failed and a law was passed abolishing his office and placing its work under the direction of the lieutenant-governor and the speaker, by which means the negroes were installed in the places. Swinson declined to yield at first and the lieutenant-governor and the speaker broke into his desk. He then had them arrested but both were acquitted.

The *Progressive Farmer* made the following comment. "Thus the people's money is being divided out to pay political rewards. There is no help for it now. But the taxpayers of North Carolina will speak in thunder tones at the polls when there is another election. No party, no man, has ever been able to run roughshod over the people of this State but a short time. 'There is retribution in history.' "

The incompetence of the legislature is possibly more deserving of criticism and censure than the nature of its intentions. A large number of its acts were unconstitutional, and so declared by the court, a larger number, defective, and a greater number still, badly drawn. Inexperience and poor leadership were of course largely responsible for this.

During the greater part of the session the republicans and bolting populists acted together, the republicans, of course, being in entire control. But at times the democrats and enough populists united to defeat certain proposed measures which were notably vicious. It was in this way that further tampering with town charters was largely averted. In time many of the majority populists grew restive, saw clearly that co-operation and fusion would soon mean the absorption of the populist party by the republicans on their own terms, and the reaction to the democratic party began. They felt truly that they had been tricked and swindled, and both their own leaders and the republicans together fell under suspicion and, as suspicion became a certainty, under the ban of their harsh condemnation. Even the *Caucasian* saw what was the republican intention. When the *Asheville Reporter,* a republican paper said: "The time is drawing near for the final amalgamation. The next election is an off year. Coöperation, if we be discreet now, will be natural and easy and we can absorb all the populists who are worth having by 1900," the *Caucasian* replied:

> Who is promising to grease our heads and heels so we can be swallowed easily?
>
> Just listen. Populists may use Republicans for the purpose of furthering the people's interests, as was done in the last campaign. And Republican bosses will lend themselves even for a good purpose when they are treated with a little pie, if they can get it no other way. Yes, Populists will use Republicans for that purpose, but by all the gods of the people's hopes, that is all the use a Populist has for Republicans. And as for the amalgamation business, we have to say in the language of the famous sage and poet, "We will be . . . . if Populists and niggers can ever amalgamate in this State and country." Do you hear?

On account of these and many other things the legislature was not popular. Democrats and the democratic press naturally condemned it. Such a paper as the *North Carolina Christian Advocate,* not as a rule given to political discussion, said of it, "Three distinct parties were represented. Two of these, the Republican and the Populist, were so divided that they really made four parties. The responsibility of the legislation just enacted must rest upon the Republican and Populist parties. . . . . It [the legislature] was a mixture of age and youth, ability and weakness, wisdom and foolishness, honor and dishonor . . . . Legislation, therefore, of a widely satisfactory nature could hardly be expected under the circumstances."

Even more significant were the comments of the *Progressive Farmer* and of the *Caucasian,* both of which were bitterly critical. When Russell was considering keeping the legislature in extra session just at the close of the regular session, the *Progressive Farmer's* comment was short but sincere. "There is talk of an extra session of the legislature. Please don't Governor Russell. We can endure famine, pestilence, drouth, war, but don't inflict any prolonged agony on the State, such as an extra session. If they don't do anything, let 'em go home."

The following comment of the *Caucasian* indicates its spirit:

> The proposed amendments to the election law are not right. The plan to place the appointment of poll holders in the hands of their "Supervisors," who, in all probability, will be a Populist bolter, a gold-bug Republican and a gold-bug Democrat—three of a kind—taking the whole machinery out of the hands of the three parties, is an outrageous proceeding. The Payne election law, and the construction of it by the Democratic election tyrants was bad enough, but as compared to this new machine about to be thrust upon us, was a mild affair. By this new method the will of the people at the ballot-box would simply be the wishes of the three "Supervisors." The people of North Carolina are not ready for a yoke of that kind. The party, the combination of parties, that attempts to lasso the people of North Carolina in such a manner will find it has undertaken too much.
>
> The scheme to take the government of towns and cities out of the hands of the citizens of said municipalities are second only to "Supervisor" plans. The Governor of North Carolina should not have the power to dictate the municipal officers of any town or city. That power should be invested in the citizens of said towns and cities. Neither should the Clerk of the Superior Court, or any other State or county affairs, have such power. It is contrary to the principles of a Republican form of government.

Popular relief was great when the session finally came to an end, and for a time political activity ceased. In August the populist state committee met and issued a circular in the nature of a swan-song which contained the following claim of achievement:

> We have secured to the citizen the right to cast one vote at all public elections and to have that vote counted as cast. We have taken the public schools out of the hands of politicians and restored them to the people. We have given the right of local self-government to each county in the State. We have removed the judiciary of the State to a safe distance from the arena of partisan politics. For a more effective and equitable control and reduction of the encroachment of railroad corporations, we suggest that the railroad commissioners should be elected in a direct vote of the people.

In the meantime the attention of the public was deflected from legislative shortcomings to the character of the fusion administration. This did not strengthen the fusion cause. Scandals began. The penitentiary, which under the skilful management of Leazer had finally become self-supporting, came under the control of the governor who appointed as superintendent a henchman of his, one John R. Smith. As physician of the newly established department of criminal insane, Dr. Kirby H. Smith, the superintendent's son, was appointed. As chaplain Rev. Thomas W. Babb was selected. Almost immediately well-substantiated charges were made by one of the directors that Babb was utterly unworthy, being an habitual drunkard, with a record of dishonesty, falsehood, and immorality. Only under pressure was he removed as chaplain and made steward of the Caledonia penitentiary farm. Later in the year Doctor Smith suddenly left Raleigh. An attempt was made to smother investigation but the matter was aired and it appeared that he had been guilty of gross immorality in his relations with his insane patients. Finally in 1898 the governor began a new régime at the penitentiary, which under Smith's administration he found to be losing a great deal of money through extravagance and gross corruption. Instead of dismissing him, the governor forced an exchange between Smith and Mewborne, the commissioner of agriculture, stating that in his new position Smith would have little opportunity to do anything good or bad.

Under the new law in relation to the Agricultural and Mechanical College there was a shake-up there which resulted in the dismissal of a number of employes and teachers.

The Atlantic and North Carolina Railroad came completely under the control of the governor in 1897. He caused Robert Hancock to be made president as a reward for faithful personal political service. A complete overturn in the road followed. In January, 1898, Hancock was accused of the seduction of his wife's niece and other similar charges followed. In February Russell secured his removal as director by the board of internal improvements and at the governor's insistent demand he was a few days later dismissed from the presidency. His reply was an open letter to the governor reminding him of a meeting at the Mansion at which both the governor and the board of directors had agreed that the charges were false. He accused Russell of forcing the removal because his suggestion, made in the form of an ultimatum that Hancock should commit a violent assault upon Josephus Daniels, the editor of the *News and Observer*, had not been carried out. The matter ended here and Hancock soon after was located in a federal office. To succeed him the governor selected an incompetent person, but public pressure prevented his appointment and he was given a minor position.

In August, 1897, the governor summoned J. W. Wilson and S. Otho Wilson, two members of the railroad commission, to answer charges of having an interest in a hotel at Round Knob which was entirely dependent for its success upon railroad patronage and of receiving other favors from the Southern Railroad. He removed them, appointing L. C. Caldwell and John H. Pearson to replace them. The Wilsons would not yield and carried the matter to the courts, which decided against them.

The most significant political event of the year, viewed in retrospect, was the meeting in Raleigh in November of a convention of the Lincoln Republican League, composed of negroes, to protest against the giving of ten offices to one hundred and twenty thousand negroes and all the rest to thirty thousand white republicans. They demanded that the negroes in future vote for no man opposed to full recognition for their race and that before nominations were made a pledge should be exacted from every candidate that one-half of the clerical force of the office be given to negroes.

It was very clear by this time that the negroes would not be content with what they were receiving of the spoils of politics, and the republicans were in a most difficult position. They were well aware of course that the mass of populists were already disgusted with the prominence of the negroes and in no mood to stomach anything further in that direction. Already, too, the situation was rapidly developing which was to overthrow the fusion régime. For, from the standpoint of the mass of white people in the state, the negro already had far too much. A glance at the facts will illustrate the situation.

In the East the negroes were filling many offices. The position of justice of the peace, as in Reconstruction, had to content most of them. Craven had twenty-seven; Columbus, five; Hertford, six; Pasquotank, three; Perquimans, six; Jones, three; Caswell, seven; Wayne, six; Nash, three; Edgecombe, thirty-one; Richmond, ten; Bertie, sixteen; Halifax, twenty-nine; and Granville, seventeen. In all there were over three hundred in the state. The school committees likewise suffered. Craven had thirteen members; Hertford, ten; Montgomery, four; Richmond, twenty-three; Columbus, seventeen; Chowan, eight; Pasquotank, five; Perquimans, ten; Jones, twelve; Hyde, eight; and Beaufort, Caswell, and Edgecombe, one in every township. In many of the counties were negro members of the county boards of education, county commissioners, deputy sheriffs, and constables. In New Hanover and Craven the registers of deeds and their deputies were negroes. There were about twenty-five negro postmasters in the East and numerous revenue officials. The towns in the East were even worse off. In Greenville where the negroes were in the minority, under the charter of 1895, four of the six aldermen were negroes and the town was dominated by them. Government as a result was extravagant and corrupt. New Bern had of negro officials five policemen, three aldermen, the city engineer, and the city attorney. The condition of Wilmington was pitiable. White people owned 97 per cent of the property and paid that proportion of the taxes. The mayor, a white man, owned no property and paid very small taxes. Negroes were most of the time in a majority on the police force, four negroes were on the board of aldermen, forty were magistrates, and they filled every position in the health department. The collector of the port, also, was a negro. There was no security left for person or property. Burglary, robbery, and murder were offences of increasing frequency and negro juries made conviction practically impossible. Along with violence and misgovernment went extravagance and corruption. As a result of these conditions, business was stagnant, depression was general, and the community which should have been prosperous was retrograding.

No one could contend that negro government was efficient in any sense or that the presence of the negro tended to good government. On the contrary it was in every sense evil. Slovenly incapacity was bad enough, but the multiplication of crimes of violence, particularly of those against white women, was unbearable. The prominence of the negro bred in the race a sense of importance which expressed itself in an assertiveness which Southern white people have ever found difficult to bear and which early took a violent form. In the towns gangs of negroes frequently forced white people into the streets. Affrays were common, and assaults numerous. In the city courts, dominated as they were by negroes or those dependent upon them, there was no redress. Self-restraint was of course a quality well-nigh unknown to a large proportion of the race and so encouraged by white schemers who climbed to place and power upon their backs, and backed by a remnant of the old carpet-baggers or their descendants, the negroes set about making the same condition of affairs which had largely contributed to make Reconstruction unbearable and ultimately had led to its overthrow almost a generation before, at the same time putting upon the republican party a stigma which it had never been able to remove. For the presence of the negro in government in North Carolina no principle was responsible; it was a matter of politics alone. Republicans, at least native ones, had no illusions about the negro nor any belief that his participation in politics was a matter of principle. The sole reason for putting the negro into office was the desire and necessity of holding and controlling the solid vote of the race. And as always this meant the debauching of the community.

Such was the situation in the state when the critical campaign of 1898 was ushered in.

In the fusion era the republican party had lost a wonderful opportunity for rehabilitation. It came into power when the democratic party was completely discredited, and under the most favorable conditions for absorbing the populists. Nor need the republicans have been dependent upon populists alone for increasing their white membership. There was a large element which was dissatisfied with the democratic party, which thought that the time had come for a two-party political system in the state, and which, because composed chiefly of young men, had no keen hatred of the republican party. The new and growing industrial group was also well-disposed. With the exercise of any wisdom, with good government, with interest in social and economic reform, with a record of achievement, these elements might have been won and along with them public confidence. Of course had they been won it would have meant the transformation of the party and the enforced retirement of many leaders. That possibly explains the failure to grasp an opportunity which was at the time clearly visible, for the party was ''bossed'' by its leaders who naturally were not looking to their own displacement. Thus was postponed to the indefinite future the renascence of republicanism in the state to the detriment of the party and the hurt of the state which has sadly needed the stimulus of two parties as well as the services of the many able, honest, and enlightened republicans who have since had small opportunity in public life.

The fate of the populist party was a pathetic one. Originating, as it did, in response to a real necessity and in protest against genuine grievances, few parties have been inspired with better motives. At times prejudiced, often mistaken and misled by economic heresies, its members were nevertheless animated by a genuinely progressive spirit. Their greatest blunder was fusion and for that the rank and file was scarcely responsible. It is an interesting but a natural thing that protesting against the rule of ''bosses'' in the democratic party, they should have delivered their political destinies into the hands of a small group of leaders not all of whom were inspired by ideals. That they did so was of course due to their inexperience and ignorance of politics. It was these leaders who undertook to reform the republican party through fusion with it and led the party into a scheme designed to benefit the leaders and the republicans, but to do little to make effective the ideals and principles of the party. Economy, so ardently desired, was replaced by extravagance and efficiency by governmental disorder and corruption. Even their demands for a fair election law and for local self-government were translated into laws that, considering the ideals behind them, would have been laughable if they had not been so tragic. Rightly led the populists in no longer time might probably have secured a revolution in North Carolina politics, unattended by the lost power, mal-administration, and other evils which characterized fusion.

And yet the populists accomplished much of good. In a positive way their educational liberality was their best characteristic. They impressed this upon the state, and the democrats, returning to power, were forced to accept it and continue it. Their greatest achievements, however, were accomplished indirectly. Of these the most important was the liberalizing of the democratic party which through defeat was chastened and purified. When it returned to power it was with new and progressive leadership and with a new sense of responsibility to the people for social improvement. Once more it set its face to the future. The other great indirect result of populism was a new attitude towards the race question. Fusion awakened the people to a new sense of the danger of the negro in politics and bred a determination to eliminate him for the future that a new peace and security might come to the commonwealth. Thus in a new sense the doctrine of White Supremacy was presented to the state.

CHAPTER XIV

WHITE SUPREMACY

The war with Spain produced in North Carolina the same flare of enthusiasm as in the rest of the country. Everywhere was the evident feeling that here were sealed with blood the indissoluble ties which bound the state to the nation, not alone in political union but beyond dispute in one of hearts as well. The state had from Appomattox accepted the result of the Civil War in utter good faith, but had not always felt itself to be accepted by the North into full fellowship. Now with the loss of its sons in battle under the flag of the United States it claimed that fellowship. It was a significant change of attitude, and, occurring elsewhere in the South, was in some respects the best thing connected with the war.

The quota of the state in troops was two regiments of infantry and one battery of artillery. In place of the latter was substituted a battalion of three companies of negro infantry which was later expanded into a full regiment. None of the regiments saw service. When Havana was occupied the First Regiment was sent there for a short time, but the others never left the United States.

Interested as the state was in the war, it really occupied a secondary place, so intent were the people upon politics. The mass of the white people were determined upon a political change and it is not a matter of doubt that the war itself and the good feeling induced thereby between the sections made possible the political revolution which was presently to occur.

The campaign of 1898 was really begun on November 30, 1897, when the democratic executive committee met in Raleigh and issued an address to the people. It contained three exceedingly significant sentences. "We have fallen upon evil days in North Carolina. * * * Too large a number of its voters are ignorant for the masses to control. * * * The democratic party promises the people on its return to power to correct all these abuses.'' In December it drew up the rules for the primaries, and the provision for exclusion of all negroes from participation foreshadowed the character of the coming campaign. Early in the year it was evident that the negro in politics was to be the paramount issue. The emphasis which the democratic press laid upon cases of crime committed by negroes was increased, condemnation of negro office-holders was redoubled, both in amount and intensity, and every effort was made to connect fusion in the minds of the people with negro control and even domination.

Of course of negro domination except in certain of the eastern counties and towns having a black majority, there was of course in one sense none at all. There never was a time in North Carolina and never will be when a white population, outnumbering the negroes two to one, could be dominated by them. It nevertheless remained a fact that while the negroes in a solid body voted the republican ticket and formed a clear majority of that party they would in a sense control it, making it irresponsible, easily swayed by the necessity of holding the negro vote, and hence unfit to rule. It was also true that republican control in the state meant negro control in the east with all that is therein implied—sometimes violence, injustice, dishonesty; always inefficiency, incompetence, and partisanship, accompanied by a deadly blight upon all progress. Herein lay the justification of the chosen issue.

The campaign was formally opened in May when both populists and democrats held their conventions, the republicans, as usual waiting until much later.

The populists met first, assembling on May 17th. The convention contained three rather clearly defined elements. A considerable number, seeing the trend of opinion and feeling in the state, and themselves weary of conditions and anxious to save something from the wreck of the party, desired fusion with the democrats. They constituted a majority of the delegates and were really headed by Marion Butler. A second element wanted the party to make no overtures whatever but to wait and force the other parties to take the initiative and then make the best terms possible. The third wanted the continuation of the existing agreement with the republicans. It was probable that a majority of the executive committee were in sympathy with this element which was headed by Harry Skinner. A resolution endorsing this view was presented and caused a bitter fight. Skinner was its chief champion and Butler its chief opponent, the latter winning when the resolution was decisively defeated.

The platform adopted endorsed the election law of 1895 and sharply condemned the republicans for the changes made in 1897, endorsed the county government law, again pledged the party to continued support and improvement of the public schools, endorsed the principle of a non-partisan judiciary, demanded an investigation of the lease of the North Carolina Railroad, the reduction of railway rates, and the prohibition of free passes, advocated the initiative and referendum, condemned the practice of removing cases to federal courts, and urged reform in taxation and the reduction of salaries.

A series of resolutions was then passed inviting "the patriotic cooperation of any party or faction of a party" to secure the election of nine free-silver and anti-monopoly congressmen, six non-partisan judges and twelve fearless and impartial solicitors, and an anti-monopoly legislature pledged to opposition to gold notes and mortgages, to government by injunction, to the North Carolina Railroad lease, and to free passes and pledged to support of the election law of 1895, local self-government, and the reduction of railway rates. A conference committee, consisting of Cyrus Thompson, Hal W. Ayer, James B. Lloyd, M. H. Caldwell, J. B. Schulken, Z. T. Garrett, and E. A. Moye, was appointed to treat with any party declaring its endorsement of these purposes.

The invitation was plainly addressed to the democrats and a conference of democratic leaders was quietly held in Raleigh to discuss the proposal. Much sentiment for acceptance was found, the powerful influence of the *News and Observer* was being exerted in that direction, and it looked as though that would be the conclusion reached by the group present when Charles B. Aycock, of Wayne, rose in opposition. He was well known, having canvassed a large part of the state in 1892 as candidate for elector-at-large. He strongly opposed acceptance of the offer, declaring that the party could not afford to compromise for the sake of victory and urging independent action as the best if not the only hope for the future. He swept his audience into almost complete agreement and this to a great extent determined the course of the party.

On May 25, two days before the meeting of the democratic convention, the populist committee by letter made their proposal. When the democratic convention met the question was referred to the committee on resolutions. There it was discussed and was championed by Josephus Daniels of the *News and Observer* but the majority favored refusal and the report of the committee was unanimous. The reply, adopted without dissent by the convention, was brief:

> Resolved 1. That the proposition for fusion submitted by the Populist committee be, and the same is hereby, respectfully declined.
>
> 2. That the Democratic State Executive Committee be, and the same is hereby, instructed to entertain no further proposition for fusion.

The convention was highly confident and enthusiastic. The platform, after a discussion of national matters, condemned the fusion administration for corruption, extravagance, and incompetence, denounced the two fusion legislatures for saddling negro rule upon the eastern towns and for the choice of negro school officials, and condemned the republicans and populists for placing ignorant, irresponsible, and corrupt men in office. Much of the rest of the platform bore a close resemblance to that of the populists. The democratic organization was perfected and F. M. Simmons became chairman. His capacity for detail and his tireless energy fitted him for the position and much of the credit for the successful conduct of the campaign was due to his skillful management.

With the democratic refusal to fuse with the populists there was great popular interest in the probable action of the latter. At first it seemed unlikely that they would fuse with the republicans. But the party was deeply angered by the refusal and the leaders, eager for republican fusion which would hold them in power, were able to convince the rank and file that the action of the democrats was due simply to the fact that the party was still dominated by "gold-bugs" and railroad lawyers. After that it was easier to arrange for "co-operation" with the republicans, although there was division of opinion, the *Progressive Farmer* violently opposing it.

When the republican convention met, it adopted a platform which, while largely devoted to national affairs contained the following planks on state affairs:

> We hereby commend the administration of the State, because (first) the finances have been wisely, economically and honestly administered; (second) the laws have been ably, fairly and impartially administered, and the rights of life and property secured thereunder; (third) there are marked and gratifying signs of progress and development in all the material conditions of the State exhibiting the return of prosperity and the satisfaction of the people.
>
> We believe that the men who broke the chains of Democracy in 1894, and who restored to the people the right of local self-government and of honest elections, will stand together in the coming contest for the preservation of these rights, which assure to our beloved State in fact as well as in name a truly Republican form of government. The joint administration of local and county affairs by the Republican and Populist parties through their chosen representatives has met the expectation of the men who elected them, and the financial conduct of the affairs of the different counties east and west, has been honest and circumspect as well as economical, and deserves our highest praise.
>
> We favor the amendment to the State Constitution embodying the provisions of our present election law, which will guarantee to every citizen of the State the right to cast one free ballot and to have that ballot counted as cast.
>
> We invest our State Executive Committee with plenary power to deal with the nominations of candidates for the offices of Superior Court Judge and Solicitors in the several Judicial Districts of the State.

As time passed the two groups drew together and fusion was finally accomplished. It had the immediate result of driving back into the democratic party quite a large body of populists who had come to distrust and dislike their allies.

Increasingly the campaign centered about the negro. Democratic denunciation of the participation of the negroes in politics grew so bitter and the color line was so sharply drawn that finally little else was talked about politically. All the offences charged against the fusion régime were made dependent upon the participation of the negro in politics. During

August white government unions or leagues were organized in various counties of the east and, as feeling grew, spread westward, remaining, however, of prime importance only in the east where the menace of the negro was most keenly felt. The chief center of the race feeling was, of course, Wilmington.

It will be remembered that under the law of 1895 the board of police commissioners of the city were given all power. In 1897 the law was so changed as to give the governor power to appoint the board of audit and finance and five of the aldermen. Under this law S. P. Wright, a white republican, was mayor, John E. Melton, another white republican, was chief of police, but the magistrates, policemen, and other local officials were chiefly negroes who dominated the government. The sheriff of the county was a mere figure-head who farmed out his office to the notorious ''Gizzard'' French who, although a member of the legislature, as deputy sheriff administered it politically.

During the summer the conduct of the negroes in New Bern and Greenville was particularly bad, but in Wilmington conditions were indescribably bad. Murder, burglary, arson, with the threat of rape, stared the people in the face, and, since there was no protection in the law, men as always sought it outside the law. As Governor Aycock described it:

> We had a white man for governor in 1898, when negroes became intolerably insolent; when ladies were insulted on the public streets; when burglary in our chief city became an every night occurrence; when ''sleep lay down armed and the villainous centre-bits ground on the wakeful ear in the hush of the moonless nights''; when more guns and more pistols were sold in the State than had been in the twenty preceding years.
>
> Under their rule, lawlessness stalked the State like a pestilence—death stalked abroad at noonday—the sound of the pistol was more frequent than the song of the mocking bird—the screams of women fleeing from pursuing brutes closed the gates of our hearts with a shock.

On August 18, the *Daily Record*, a negro paper, edited by one Manly, printed an editorial which contained the paragraph:

> We suggest that the whites guard their women more closely, as Mrs. Felton says, thus giving no opportunity for the human fiend,

> be he white or black. You leave your goods out of doors and then complain because they are taken away. Poor white men are careless in the matter of protecting their women, especially on farms. They are careless of their conduct toward them, and our experience among poor white people in the country teaches us that the women of that race are not any more particular in the matter of clandestine meetings with colored men than are the white men with colored women. Meetings of this kind go on for some time, until the woman's infatuation or the man's boldness bring attention to them, and the man is lynched for rape. Every negro lynched is called a "big, burly, black brute," when in fact, many of those who have thus been dealt with had white men for their fathers, and were not only not "black" and "burly," but were sufficiently attractive for white girls of culture and refinement to fall in love with them, as is well known to all.

It won instant and fiery denunciation from every quarter of the state, and men wondered why the editor still remained in Wilmington and why the paper still continued to appear. It is likely that the fact of his apparent immunity made the demonstrations about the state seem less purposeful and determined. As a matter of fact while there was great political lethargy, the people of Wilmington, looking forward to one goal—the redemption of the state—and, determined to do nothing which might injure the chance of accomplishing this great purpose, exercised great self-restraint and bided their time, none the less determined, however, to settle the account forever at a later time.

By September the republicans and populists began to accuse the democrats of an intention to disfranchise the negroes and the other ignorant voters by an amendment to the constitution imposing an educational test. This was promptly and loudly denied by the democrats and it is not likely that any such policy had been agreed upon by party leaders. Certainly it was not the purpose, however much the wish, of the mass of the party. When the charge was made a document was sent out from the democratic headquarters which contained a discussion of the charge in which occurred this statement:

> The constitution gives the right of suffrage to all male persons over 21 years of age, not disqualified by crime, and the Legislature cannot add or take away a letter from that. That can only be done by the people themselves, and the Democrats will never submit any proposition to the people to take from a man his right to vote. No Democrat has ever proposed such a thing. The charge is only intended to mislead, to deceive and to make political capital. It is entirely false.

> There is not a Democratic convention that would not spit upon the man who might make such a proposition. There is not a Democratic candidate for office who would not pledge himself most solemnly against it.

Chairman Simmons branded the story as the same old republican campaign falsehood which had been employed since 1870 and James H. Pou, a former chairman, in a speech at Salisbury in October pledged the democratic party against such a policy. Such influential newspapers as the *News and Observer* and the *Wilmington Messenger* echoed the denial.

In September a staff correspondent of the *Atlanta Constitution* sent from Raleigh a letter upon conditions in the state, in which occurred this remarkable statement:

> It is no secret that colored leaders, ambitious for their race, have matured in their minds a plan by which they hope to obtain absolute control of the legislative, judicial, and executive machinery, and then to rapidly carry out a scheme of colonization by which this will become a thoroughly negro sovereign State, with that population in the majority and furnishing all officials in the public service, from United States Senators and Governors down through judges, legislators, and solicitors, to the last constable and janitor. If their plan succeeds, North Carolina is to be the refuge of their people in America. Their brethren from all the Southern States will be invited to come here, cast their lot among their fellows, and together to work out their destiny in whatsoever degree of prosperity and advancement they may be able to achieve for themselves.

It was widely copied in the state press and was received generally as a genuine and startling revelation of a deep-laid scheme. The speech of George H. White, the negro congressman in the republican convention was remembered. "I am not the only negro who holds office," said he. "There are others There are plenty more being made to order to hold office. We don't hold as many as we will. The democrats talk about the color line and the negro holding office. I invite the issue." One newspaper, after citing the case of Washington, after the close of the Civil War, closed with these rather pertinent remarks:

> * * * The city government soon became so corrupt and extravagant that Congress was forced to repeal the act giving the people the right of local self-government. What place is now to him what Washington once was? What one State in all this Union now holds out the inducement to enter her citizenship and seek her political

> honors? What State, and what State alone, is represented in the Congress of the United States by a negro? What State, and what State alone, has registration laws which make it easy for him to register, whether he is a legal voter or not? What State, and what State alone, requires nothing of him to entitle him to vote except his bare oath that he is so entitled? The answer to these inquiries is North Carolina.

By October a tremendous drive was on. Public feeling was tense in many quarters and there was evident a widespread determination among the democrats that the election must be carried if necessary by fraud or by force, or both. There was little opportunity of course for the former so completely were the polls controlled by the fusionists. In the employment of the latter there were two alternatives. The negroes must either be frightened away from the polls or prevented from depositing their ballots. Of the two, intimidation was easier, safer, more effective and in every way less objectionable and it was the plan resorted to in most instances. Organizations of "Red Shirts" appeared spontaneously, unconnected with each other or with the party organization. All through the southeastern portion of the state these "Red Shirts" rode about, boisterous, spectacular, and in the main harmless, visiting localities where the negro population was large, all wearing the lurid uniform which was at the same time a patent implication and a warning. Open violence was rare. An occasional republican meeting was broken up; in a few instances speakers were warned not to appear, but their power of intimidation was great. It was argued at the time and afterwards that they were merely a spectacular adjunct of the campaign but this is not true. They represented a fixed determination to put an end to existing conditions, and while they sought notoriety as the best means of accomplishing their purpose, they were nevertheless in deadly earnest. That they went no further was due solely to the fact that there was no need. Nor were they the irresponsible elements of the community, the riff-raff, and the ruffians. They were in the main respectable and well-to-do farmers, bankers, school teachers, and merchants,—in many cases the very best men in the community.

The threats and demonstrations produced at once the counter threat by republicans of the use of federal troops, a suggestion which vastly helped the democrats. Reality was given the threat by a public allusion by Senator Pritchard to the possibility of their employment which was promptly construed by democrats into a threat and even a formal demand for them. Not a few republicans placed a similar construction upon the suggestion and employing it as a threat, assisted in magnifying it and spreading it abroad.

The democratic press kept the feeling at high tension. As a visiting writer of note put it:

> The result was that in all sections of North Carolina, from the mountainous border of the West to the sand-dunes on the Atlantic shore, the doctrine of antagonism to the negro was preached from every stump and reiterated in the columns of every newspaper. * * * The negro himself was pilloried as the quintessence of all that was brutal and dangerous. Especial prominence was given to items, the purport of which is evidenced in the following headlines, all of which are taken from a single issue of a Raleigh daily.
>
> "Estimable Lady Grossly Assaulted by a Black Negro!
>
> "An Impertinent Negro Puts in His Lip and Narrowly Escapes Being Roughly Handled!
>
> "Black Scoundrel Assaults a White Man!
>
> "Negro Youths Assault and Rob a Venerable and Highly-Esteemed Citizen on a Principal Street!
>
> "Insolent Negroes Parade, Arm Themselves and March through the Streets of Wilmington!"

A fact to be remembered in this connection is that while doubtless the campaign caused an increase of emphasis, the condition of affairs, thus portrayed, actually existed.

During October, to add to public excitement, there was a small race riot in Robeson County.

In the meantime conditions had grown worse in Wilmington. The negroes were becoming more lawless and were heavily armed, though the common rumor of the time that they were bringing in great quantities of arms was without any adequate foundation. The truth of the matter was that the negroes were not planning or plotting anything. The mass of them were quiet; the loud and dangerous minority, badly led, and encouraged by scheming white politicians, were asserting themselves in fancied security. The white population, with few exceptions, practically lived under arms. Riot guns by the hundred and pistols by the thousand were brought in and a rapid fire gun was placed in the armory of the Wilmington Light Infantry.

Politically, hopelessness had been replaced by untiring activity. A campaign committee consisting of twenty of the best business men of the town, headed by Frank Stedman, E. G. Parmele, Walker Taylor, and George Rountree, was chosen and a campaign fund raised for necessary expenses. In a short while the white people were in a flame of excitement and ready to go to any lengths to effect a change of conditions. The chamber of commerce passed strong resolutions against the continuance of negro rule, and among white men party distinctions began to disappear.

In the meantime, as a protection against a possible uprising of the negroes, the town was quietly divided into military departments and the white citizens organized under the command of Colonel Roger Moore, one of the best men of the community.

The tensity was so great that those in contact with the community sensed impending trouble. On October 18, W. H. Chadbourn, the republican postmaster, a Northern man, wrote and sent to Senator Pritchard an open letter in which he said:

> I had thought at first that it was the usual political cry and a fight for office; but I am convinced that the feeling is much deeper than this, as it pervades the community, and there seems to be a settled determination on the part of the property owners, business men, and taxpayers to administer the city and county government. As a matter of fact, there are in this county 36 colored magistrates and a colored register of deeds and various other minor officials, besides some presidential appointees, and the property owners, taxpayers, and business men seriously object to this state of affairs, and there now exists here the most intense feeling against any sort of negro domination. There is a greater feeling of unrest and uncertainty about the maintenance of order than I have ever seen, and many, even the most conservative, feel that a race conflict is imminent, than which nothing could be more disastrous, not only to this city and county, but to our party in the State, and rather than have riot, arson, and bloodshed prevail here, I, Republican though I am, advise giving up the local offices in this county, as there are no national political principles involved in this conflict.

Later in the month, Governor Russell and the Senators Butler and Pritchard were advertised to speak in Wilmington.

A meeting of business men was called and a committee representing them met the speakers on the morning of their appointment and pointed out the grave danger of such conduct on the part of the negroes as would precipitate a riot. In consequence the appointment to speak was not kept.

On October 24th, a committee of prominent citizens wrote Governor Russell, warning him that there was serious danger of an outbreak and urging him to use his influence with the local republicans to persuade them not to run any county ticket in order to prevent trouble. The candidates of the democrats had already been replaced by those selected by the business men of the city. The governor publicly declined to interfere, but after a visit from several prominent men who laid the case before him, at his suggestion no ticket was run.

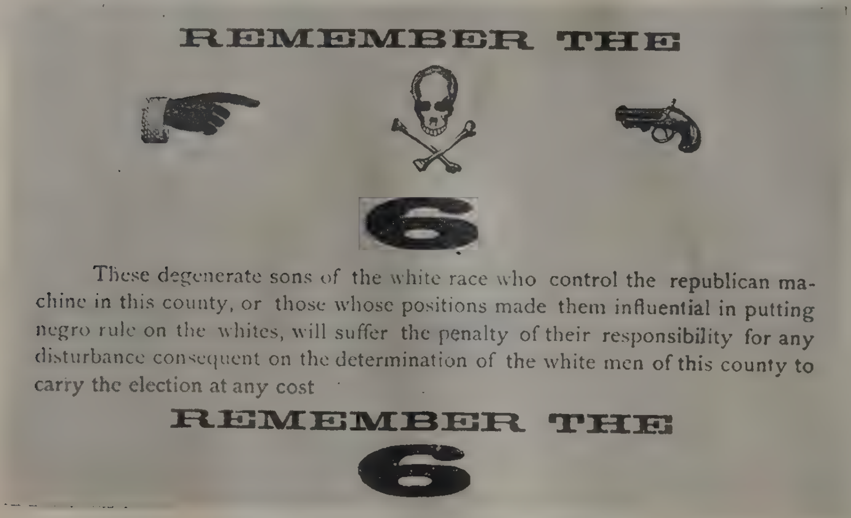
On October 26th, Governor Russell issued a proclamation calling attention to the prevailing excitement and to instances of disorder and warning the people against acts of violence. Two days later there was a great white mass meeting held in Goldsboro. William A. Guthrie presided and in attendance were many populists including a former state chairman and even a few republicans who had rallied to the democratic party on the negro issue. A preamble in the form of statements bearing upon conditions in the state, and a series of resolutions were adopted. Among them these were characteristic:

> It is not claimed, even by his white leaders, that the negro is capable of administering a government. On the contrary, the man who is the present Republican Governor of the State has declared, in the most emphatic language, that he is wholly unfitted for it.
>
> That counting the offices of register of deeds, deputy registers, deputy sheriffs, constables, justices of the peace, school committeemen, town commissioners, policemen, postmasters, collectors, storekeepers, gaugers, and the like, there are now in office in counties and towns of eastern North Carolina nearly 1,000 negroes, there being nearly 300 negro magistrates alone.
>
> That as a consequence of turning these local offices over to the negroes, bad government has followed, homes have been invaded, and the sanctity of woman endangered. Business has been paralyzed and property rendered less valuable. The majesty of the law has been disregarded and lawlessness encouraged. In many localities men no longer rely upon the officers of the law for protection, for they are known to be incompetent or corrupt. Conditions have become so intolerable in these communities that they can be no longer tolerated or endured.

> In view of these things, it is resolved:
>
> That the Republican leaders have a second time clearly demonstrated their inability and their unfitness to govern North Carolina.
>
> That the time has come when those who have followed these leaders should no longer do so, and that all men who love their State and their homes should unite in one supreme effort to redeem the State, and to place honest, capable white men in office in State, county, city, and town.
>
> That our appeal has been, is now, and shall continue to be to the ballot box and to honest white men. We have contemplated no violence, but we are determined to use all proper means to free ourselves of this negro domination, which is paralyzing our business, and which hangs like a dark cloud over our homes.
>
> That we declare it is not our purpose to do the negro any harm. It is better for him, as well as for us, that the white man shall govern; that while we propose to protect and encourage him in all his rights and duties of citizenship, we affirm that North Carolina shall not be negroized. It is, of all the States of the Union, peculiarly the home of the Anglo-Saxon, and the Anglo-Saxon shall govern it.

In the campaign the fusionists were driven as it were from their feet and found themselves in the East unable to do anything but threaten and complain. Everywhere in the state they were on the defensive from the beginning. The populists, under the lead of Senator Butler, argued for a special form of government for the eastern counties, a thing clearly made possible by a decision of the Supreme Court in relation to the charter of Wilmington as amended by the legislature of 1897. Few listened to this. The issue was a general one. Populist strength was apparently dwindling and their claim that they were in a peculiar sense a white man's party lost weight before the fact of their fusion with the republicans and its visible results.

So far as the negroes were concerned, a large part of them had suddenly become convinced that political activity was unwise and that voting possibly would be a grave mistake. The campaign of intimidation had begun to turn the scale and many negroes were unregistered and a greater number probably did not vote. Nor was their action unnatural. The press was full to the end of the campaign of threatening intimations, which grew worse before they reached the ignorant masses of the race, and a large number of reckless and hysterical speakers used the kind of argument which appears in a speech which, according to a newspaper correspondent, was made by Alfred M. Waddell, in a speech in Wilmington the night before the election: "You are Anglo-Saxons. You are armed and prepared, and you will do your duty. Be ready at a moment's notice. Go to the polls tomorrow, and if you find the negro out voting, tell him to leave the polls and if he refuses, kill him, shoot him down in his tracks. We shall win tomorrow if we have to do it with guns."



REMEMBER THE

6

These degenerate sons of the white race who control the republican machine in this county, or those whose positions made them influential in putting negro rule on the whites, will suffer the penalty of their responsibility for any disturbance consequent on the determination of the white men of this county to carry the election at any cost

REMEMBER THE

6

A Wilmington Campaign Warning, 1898

No such condition of affairs could pass unnoticed and the campaign excited much interest outside the state and there were a number of staff correspondents of newspapers and magazines who furnished daily to the world their interpretation of what was going on. Much of the press comment was of course bitterly hostile and there was general deprecation of violence, but the majority of correspondents from outside found themselves, regardless of former ideas, in sympathy with the demand for white supremacy. The *Washington Post* was notably sympathetic with the democrats and said that the struggle was one between anarchy and organized society, involving the preservation of enlightened institutions and honest government, of law, and of order.

The election was quiet and, generally speaking, there was little fraud. With the election machinery in the hands of fusionists there was but little chance of any. One box in a negro precinct in Wilmington was ''stuffed'' after the close of the polls in the presence of all the election officials so effectively as greatly to embarrass the democrats by a majority as large as the total registered vote, but such cases were rare. All day long, according to a correspondent of the *Outlook,* the same precinct was surrounded openly by five hundred Red Shirts, armed with Winchester rifles, who ignored the fact that concealed in a wider circle outside of them were fifteen hundred negroes armed with old muskets, army rifles, shot guns, and pistols. Democrats elected a large majority of both houses of the legislature and seven of the nine members of Congress. Their majority was estimated to be nearly 20,000. In the black district the negro, George H. White, was reelected.

The day after election, when the news of democratic success had come, a mass meeting, attended by about 1,000 white citizens, was held in Wilmington. A series of resolutions amounting to a declaration of independence from negro rule was unanimously adopted:

> Believing that the Constitution of the United States contemplated a government to be carried on by an enlightened people; believing that its framers did not anticipate the enfranchisement of an ignorant population of African origin, and believing that the men of the State of North Carolina who joined in forming the Union did not contemplate for their descendants a subjection to an inferior race;
>
> We, the undersigned, citizens of the city of Wilmington and county of New Hanover, do hereby declare that we will no longer be ruled, and will never again be ruled, by men of African origin. This condition we have in part endured because we felt that the consequences of the war of secession were such as to deprive us of the fair consideration of many of our countrymen.
>
> We believe that, after more than thirty years, this is no longer the case.
>
> The stand we now pledge ourselves to is forced upon us suddenly by a crisis, and our eyes are open to the fact that we must act now or leave our descendants to a fate too gloomy to be borne.
>
> While we recognize the authority of the United States, and will yield to it if exerted, we would not for a moment believe that it is the

purpose of more than 60,000,000 of our own race to subject us permanently to a fate to which no Anglo-Saxon has ever been forced to submit.

We, therefore, believing that we represent unequivocally the sentiment of the white people of this county and city, hereby for ourselves, and representing them, proclaim:

1. That the time has passed for the intelligent citizens of this community, owning 95 per cent. of the property and paying taxes in like proportion, to be ruled by negroes.

2. That we will not tolerate the action of unscrupulous white men in affiliating with the negroes so that by means of their votes they can dominate the intelligent and thrifty element in the community, thus causing business to stagnate and progress to be out of the question.

3. That the negro has demonstrated, by antagonizing our interest in every way, and especially by his ballot, that he is incapable of realizing that his interests are and should be identical with those of the community.

4. That the progressive element in any community is the white population, and that the giving of nearly all of the employment to negro laborers has been against the best interests of this county and city, and is a sufficient reason why the city of Wilmington, with its natural advantages, has not become a city of at least 50,000 inhabitants.

5. That we propose in future to give to white men a large part of the employment heretofore given to negroes, because we realize that white families can not thrive here unless there are more opportunities for employment for the different members of said families.

6. That the white men expect to live in this community peaceably, to have and provide absolute protection for their families, who shall be safe from insult from all persons whomsoever. We are prepared to treat the negroes with justice and consideration in all matters which do not involve sacrifices of the interest of the intelligent and progressive portion of the community. But we are equally prepared now and immediately to enforce what we know to be our rights.

7. That we have been, in our desire for harmony and peace, blinded both to our best interests and our rights. A climax was reached when the negro paper of this city published an article so vile and slanderous that it would in most communities have resulted in the lynching of the editor. We deprecate lynching, and yet there is no punishment provided by the laws adequate for this offense. We therefore owe it to the people of this community and of this city, as a protection against such license in future, that the paper known as the "Record" cease to be published, and that its editor be banished from this community.

We demand that he leave this city within twenty-four hours after the issuance of this proclamation; second, that the printing press from which the "Record" has been issued be packed and shipped from the city without delay; that we be notified within twelve hours of the acceptance or rejection of this demand. If the demand is agreed to within twelve hours, we counsel forbearance on the part of all white men. If the demand is refused, or if no answer is given within the time mentioned, then the editor, Manly, will be expelled by force.

Still another resolution demanded the resignation of the mayor and alderman, and a committee of twenty-five representative men of the town was appointed to execute these demands. They were James Ellis, Rev. J. W. Kramer, Frank Maunder, F. P. Skipper, C. L. Spencer, Hugh MacRae, J. Allen Taylor, E. S. Lathrop, F. H. Fechtig, W. H. Northrop, Sr., A. B. Skelding, F. A. Montgomery, B. F. King, Rev. J. W. S. Harvey, Joseph R. Davis, Dr. W. C. Galloway, Joseph D. Smith, John E. Crow, F. H. Stedman, Gabriel Holmes, Junius Davis, Iredell Meares, P. L. Bridgers, W. F. Robertson and C. W. Worth. They at once organized and summoned a group of thirty or more of the more prominent negroes before whom they laid the ultimatum and demanded their influence in securing a peaceful execution of it. They were instructed to deliver their reply to Alfred M. Waddell at his residence at half past seven the following morning and it was arranged that he would report the result to the committee at the armory at 8 o'clock.

The negroes after conference secured from Manly a promise to leave and drew up a reply promising to use their influence, but, instead of delivering it as arranged, mailed it. At 8 o'clock on the morning of November 11th, Waddell reported to the assembled body of armed men that nothing had been heard from the negro committee. He then placed himself at the head of the men who marched to the *Record* office and destroyed the whole outfit. During the disturbance the building was found to be on fire and it was completely destroyed, the origin of the fire never being discovered.

After the wrecking of the newspaper office the crowd began to disperse. In the meantime the negroes all over Wilmington had heard of the affair and had begun to assemble in many parts of the city, many of them armed. Finally in an outlying quarter the negroes, after refusing to disperse, fired on a party of armed white men who at once returned the fire. Fighting began resulting in the death of a number of negroes during the forenoon. Occasional outbreaks occurred during the afternoon and twelve negroes were stated to have been killed during the day. Three white men were seriously wounded.

As soon as the fighting began the Wilmington Light Infantry and a battalion of naval reserves were ordered out and at once began to disarm the negroes. Patrols of citizens, established on every block, also guarded the city and disarmed all passing negroes and furnished protection to those of them who were afraid. The white women and children were placed in the houses already selected for use in such a contingency and the guard was maintained all night. Militia hurried in from Fayetteville, Maxton, Kinston, Clinton, and other neighboring towns while hundreds of offers of assistance from the state and from South Carolina and Virginia poured in over the wires. The situation among a large part of the negro population was pathetic. They had been so filled with wild stories of what would happen to them in the event of democratic victory, that they did not stop to notice that no negro was harmed who was not associated with armed aggression, but, seized by panic, thousands of them, including men, women and children, fled out of the city during the following two days. Many of them stayed away for days, afraid to return and suffering in the meantime from cold, hunger, and exposure. It was the same story that had often been the case before. The ignorant negroes had been led by bad white men who had deserted them when trouble came leaving them to bear the brunt.

On the same day as the uprising, W. H. Chadbourn offered to secure the resignation of the city officials in favor of those selected by the business men. This was announced to the committee of twenty-five who then called upon the mayor and chief of police and demanded their resignation. The former objected to obedience during the disturbance; the latter, more philosophical, made the payment of his arrears of salary his sole condition. A meeting of the board of aldermen was held at which, one by one, the aldermen resigned and elected new ones chosen by the committee in their stead. The mayor then resigned and was replaced by Alfred M. Waddell who immediately announced his intention of suppressing all disorder and a little later personally cooperated in preventing a lynching. During all this time a number of white and colored republican leaders were in jail for their own protection.

The same night the expulsion of objectionable characters began. G. Z. French was taken by a squad of militia to the station where he narrowly escaped hanging, a noose having already been placed about his neck and the rope drawn taut, when intervention in his behalf saved him. R. H. Bunting, the former trial justice, John R. Melton, the former chief of police and several other white men were sent away as were six negro leaders who were regarded as particularly dangerous. All of them, black and white, were warned never to return. There was of course much public excitement for several days but no disorder and the town soon settled to quiet.

Democratic victory in the election was due to the abuses in government, supplemented by a wonderful activity of the press, excellent management of the campaign, and the enthusiasm of the individual voters. The party was once more united and was also able to draw some strength from the populists though possibly not as much as had been expected. In the campaign the party had found a leader in the person of Charles B. Aycock, of Goldsboro. Before the democratic convention he and Locke Craig, of Asheville, in a great meeting in Laurinburg had sounded the keynote of the campaign and he was active throughout its course, emerging as the outstanding figure in the new democratic party.

For the campaign methods employed in many quarters of the state, the better element had in the abstract little sympathy, but they were in no apologetic mood as concerned the practice in this particular case. To the majority the end had justified the means. Good government had been once more secured as in the seventies and in much the same way. It was felt to be deplorable that necessity forced the employment of such methods, but it was also felt that the necessity was there which justified even recourse to violence. The experiment of government by a party owing its elevation to power to a solid and ignorant negro vote had been tried a second and last time in North Carolina and had failed. The victors, many of them terribly alarmed at the menace to the state involved in the necessary method of victory, now determined to make a third trial an impossibility.

In spite of race antagonism the feeling was fairly general that after all the negro was not to blame. It was the old story of Reconstruction—the ignorant and inferior race politically deluded and exploited for the benefit of the white men who rose to place and power by means of the indivisible negro vote. Undoubtedly many of the negroes behaved badly; it was hardly to be expected that they would not since both encouragement and example were furnished by evil white men. The great cause for wonder is that they did not behave worse and that a larger proportion of the race was not guilty of misbehavior. For after all, the mass of negroes in the state were quiet and on the whole, well-behaved.

The course of action of the populists and republicans in relation to the negro would be more excusable if there had been among either group any wide-spread devotion to the ideal of manhood suffrage or to an abstract theory of the rights of man. There was nothing of the sort. Friendly to negro suffrage solely because it was a political asset of the party, they were, as a rule, in private as entirely contemptuous of the race in politics as the democrats. It was this fact which made the offence against good government and political morals of which they had been guilty the more heinous and in the minds of many well-nigh unforgivable.

Whatever may have been the previous ideas of the democrats, they now began to turn rapidly towards disfranchisement as a remedy for the ills of the state. By the time the legislature met it was regarded as a certainty that some form of disfranchisement would be adopted to settle a problem otherwise incapable of solution.

Henry Litchfield West, who was present in the state during a part of the campaign and had watched the progress of the affair in Wilmington, saw this at the time and said:

> No one who has witnessed the condition of affairs in the South can believe that the Negro is, at the present time, capable of governing. All his efforts in this direction have been lamentable, direful failures. On the other hand, no one acquainted with the spirit and temper of the Southern people believes that the Negro, whatever his future capacity may be, will be allowed to govern the white race.

> These two assertions—that the Negro cannot govern, and that the white man will not let him govern—are axioms. While the Negro continues shiftless, ignorant, superstitious, and incompetent, there is a justification for the refusal to give him absolute control over invested capital, commercial interests, and municipal matters. At the same time, the casting and the counting of his ballot are his constitutional rights; and so long as these are denied him, there is a confession that our vaunted scheme of universal suffrage is a failure and a farce. They will be denied him, however, even at the muzzle of the rifle; and as long as he threatens to exercise his rights, just so long will the South remain solid.

The legislature was of the following political complexion:

	Senate	House
Democrats	40	94
Republicans	7	23
Populists	3	3

Judge Henry G. Connor was chosen speaker of the House over Lee S. Overman and Locke Craig. The legislature was an unusually serious body, full of a sense of responsibility and exceptionally hard-working. By the time it met disfranchisement had been virtually determined upon and that was felt to be the chief obligation to the state. The outstanding difficulty was the necessity of devising some plan which would disfranchise the negroes without at the same time depriving white men of the right to vote.

On January 6th, Francis D. Winston introduced a resolution for a constitutional amendment restricting suffrage, based upon the Louisiana plan of an educational test and the "grandfather clause." This was referred and the committee went at once to work upon it. It was perfected during January, submitted to the democratic caucus for approval, after which it came before the houses for consideration. An attempt was made to amend it so as to make the operation of the grandfather clause without limit, but fortunately that failed. The Senate passed it by a vote of forty-two to six and the House eighty-one to twenty-seven. Only one populist voted against it, for several democrats in the House opposed it. The republicans voted solidly against it.

As submitted the important clause was this:

> Sec. 4. Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language; and before he shall be entitled to vote he shall have paid, on or before the first day of May, of the year in which he proposes to vote, his poll tax for the previous year as prescribed by Article V, Sec. 1, of the Constitution. But no male person who was on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any state in the United States wherein he then resided, and no lineal descendant of any such person, shall be denied the right to register and vote at any election in this state by reason of his failure to possess the educational qualifications herein prescribed: *Provided,* he shall have registered in accordance with the terms of this section prior to December 1, 1908. The General Assembly shall provide for the registration of all persons entitled to vote without the educational qualifications herein prescribed, and shall, on or before November 1, 1908, provide for the making of a permanent record of such registration, and all persons so registered shall forever thereafter have the right to vote in all elections by the people in this state, unless disqualified under section 2 of this article: *Provided,* such person shall have paid his poll tax as above required.

In framing the amendment the committee was confronted immediately by three difficulties. One of these—the determination not to disfranchise any white man who had the right to vote—was overcome by the adoption of the grandfather clause. A second—the fifteenth amendment—was more difficult, but the amendment as finally adopted seemed to the committee to avoid conflict with it. A third was the clause in the act of June 25, 1868, readmitting North Carolina and five other states to representation, which provided "that the constitutions of the said States shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote in said States." This presented a pretty question, but the committee decided on sound grounds that the clause was not operative since Congress had no right to impose conditions or obligations upon certain of the states which were not binding upon the others.

The principles guiding the committee as outlined by George Rountree, the chairman, were: (1) Persons guilty of crime are not of sufficient character to vote; (2) Persons without home or some fixed habitation are not sufficiently interested to vote intelligently; (3) Those who are not thrifty enough to pay taxes and bear part of the burden of the state should not take part in its government; and (4) Persons in order to vote must have sufficient intelligence for their voting not to be a menace to the community. So far as the grandfather clause was concerned, it was intended to be merely a bridge from the existing unlimited adult-male suffrage to a suffrage qualified by ability to read and write.

While the amendment was the great achievement of the session and the legislature moved very cautiously to avoid anything which might divide the white voters, much else was accomplished. A law providing for separate accommodations for the races on trains and steamboats was passed in spite of considerable opposition from the railroads. The existing election law was repealed as soon as the session began and later a new one, greatly resembling the one in operation before 1895, was passed. In order to protect the eastern counties from negro rule, the old system of electing county commissioners by magistrates who were themselves elected by the legislature was restored, applying, however, only to Washington, Granville, Caswell, Bertie, Vance, Warren, Craven, Edgecombe, Perquimans, Franklin, Montgomery, Pasquotank, and New Hanover. A law was passed providing for the domestication of foreign corporations before they could engage in business in the state. A department of insurance was established. The public school law was revised and an appropriation of $100,000 for the use of the schools was made. A proposition to divide the school fund between the races on the basis of what each paid was debated for some time. A meeting of negroes held in Raleigh in January presented a memorial praying the legislature not to pass any legislation unfavorable to the race and issued an address to the colored people of the state advising quiet and the cultivation of good feeling. There was some sentiment behind the proposed law but it was generally thought that action of this sort would be unwise and the bill was defeated, but there was no unanimity about the principle of the proposal and its defeat did not mean the establishment of a policy. The question was simply postponed for future settlement. The county boards of education were abolished and county boards of directors established in their place.

Almost as soon as the session began investigation of various departments was undertaken and the penitentiary was particularly the object of suspicion. The affairs of the institution turned out to be in bad conditions and it was soon decided by the democrats to change the management, the point being made, in support of their contention that politics was not involved and that no financial responsibility could be assumed unless there went with it control. Accordingly a law was passed incorporating the state's prison, as distinguished from the penitentiary, and in addition to the existing directors, twelve more chosen by the legislature were authorized. An executive board of three was created and the office of superintendent abolished. Another law authorized the issue of bonds to pay the debts amounting to more than one hundred thousand dollars.

Just before the meeting of the legislature, J. M. Mewborne, the superintendent, had resigned and William H. Day, a democrat had been appointed. As to S. Otho Wilson, partisanship was rampant but the board demanded possession of the institution, Day refused to yield and the case went to the Supreme Court.

One of the first acts of the legislature was a resolution asking the governor to communicate his reasons for the suspension of the two Wilsons from the railroad commission. After the statement of the case was laid before them an investigation was decided upon. It was long and tedious, resulting in the vindication of Major J. W. Wilson who was a democrat. As to S. Otho Wilson, partisanship was rampant but the partisans were divided. Some wanted to rebuke the governor by vindicating him; others clamored for his removal by ratification of the governor's action. He had in the meantime resigned. Finally both were re-instated. The legislature then abolished the railroad commission and created the corporation commission with new and enlarged powers, electing Franklin McNeill, S. L. Rogers, and E. C. Beddingfield commissioners.

The criminal circuit courts established by laws of 1895 and 1897 were abolished and later the eastern and western district criminal courts were established. The board of internal improvement was reorganized and the control of the Atlantic and North Carolina Railroad given to it.

A troublesome case before the legislature was that of W. L. Norwood, a judge of the Superior Court who had resigned under charges of habitual intemperance and after his successor had been appointed had claimed the office. After investigation and considerable discussion as to whether he was still a judge and whether or not he was impeachable, the House passed a resolution of impeachment. He at once resigned and the case was dropped, although the House had presented the case to the Senate.

The legislature of 1897 had created the office of chief inspector of shell fish and the governor had appointed Theophilus White to the position. There was much dissatisfaction and the legislature of 1899 abolished the office substituting a board of seven commissioners. A later act forbade the state treasurer to pay any compensation for services in connection with the industry unless it was authorized by the new act. In this law and in many others the democrats were seeking chiefly to oust from office of any sort those who had been appointed by the fusion legislature or the governor.

There was much fear among democratic members of the legislature that some judicial interference with the amendment would prevent its proper submission. Accordingly when the legislature adjourned it was not as usually, *sine die,* but to June 12, 1900. No secret was made of the fact that this was done to prevent any tampering by the Supreme Court with the amendment.

In April the court handed down its decision in the penitentiary case, delivered by Judge Montgomery, with Judge Clark dissenting, in which it was held that while the legislature has power to abolish an office created by legislative authority, it cannot by a mere transfer of duties oust the incumbent of an office. This was of course in accord with precedents in the state dating from the decision in Hoke *v.* Henderson in 1833, affirmed shortly before in Wood *v.* Bellamy in 1897.

Other office-holding cases followed rapidly. An interesting one was Wilson *v.* Jordan, arising out of a contest for the office of clerk of the western district criminal court, in which the Supreme Court, Judge Furches delivering the opinion with Judge Clark dissenting, held that all acts of the same session of the legislature upon the same subject matter are to be considered as one act and must, under the doctrine of *in pari materia,* be construed together and further that they should be considered to be *in pari materia* whether passed at one session or not. From this reasoning together with the precedent of Hoke *v.* Henderson, they declared the clerk of the criminal court of Buncombe entitled to the office.

Another important decision arose from the refusal of D. H. Abbott, one of the railroad commissioners to surrender his office to E. C. Beddingfield, who had been elected a member of the newly-created corporation commission. This was decided in the autumn of 1899, Judge Furches writing the opinion of the court and Judge Clark again dissenting. The doctrine laid down in the penitentiary case was again asserted, the two statutes of the legislature declared to be *in pari materia,* and Abbott declared entitled to the office.

The new board of internal improvement removed the president and directors of the Atlantic and North Carolina Railroad and appointed a new board which elected James A. Bryan, president. D. W. Patrick, the old president, refused to surrender the road and the governor and old board of internal improvements declined to recognize the new board. The court, applying the precedent of the Wood and Day cases, Judges Clark and Montgomery dissenting, sustained the defendants in both cases.

The effect of these decisions, along with a number of similar ones, was to undo a considerable part of that work of the legislature which had been directed towards getting republicans out of office and democrats in their place. Feeling against the court was bitter, particularly among the members of the legislature, and talk of the possibility of impeachment of the judges began as early as December, 1899. In the court itself it had come even earlier. In his dissenting opinion in Wilson *v.* Jordan, Judge Clark said:

> North Carolina is one of the States that has never given its Executive even a modified veto upon legislative action, and there is nothing

> in its Constitution indicating any intention to give the judiciary any supervision or control over the law making power. On the contrary, while the Courts can not pass, in any the most remote degree upon the title to his seat of any member of the Legislature, that body can sit in judgment upon any member of the Executive or Judiciary branches of the State Government by impeachment, and remove him from office.

Judge Furches evidently construed this as a threat and in the opinion of the court administered this quiet but stern rebuke.

> From the intimations made by a member of this Court we are induced to say: that we have discussed the legal questions arising in this case as they appeared to us; we do invite criticism, we have no right to object to fair criticism, and we do not do so. If such criticism shall be indulged in, as is not just or legitimate, we believe that an intelligent and learned profession will discriminate between that which is legitimate and that which is not.
>
> It has been suggested by a member of this Court, that the Legislature has the power to impeach a judge—that it has recently done so, and that there is no appeal from its judgment. Such a suggestion as this, has never occurred in the history of this Court until now. This suggestion added nothing to the strength of the argument advanced for the defendant. Why it should have been made, we do not know. But remembering our position as members of this Court, we will not express our sentiments as to such suggestions, and will only say that, in our opinion, any member of any Court, who would allow himself to be influenced by such suggestions is unfit to be a judge.

In the case of the school boards there were few contests, Superintendent Mebane advising the boards of education not to contest but to yield in the interest of the schools. It was a highly patriotic action and one characteristic of his official conduct.

All during 1900 the amendment was discussed from every angle. It met with opposition from the republican and populist leaders who argued that it was a breach of faith in that it was a violation of an agreement expressed in the law of June 25, 1868, already referred to, which they claimed bound the state in honor as well as in law. They also declared it in conflict with the fifteenth amendment because it was directed exclusively against the negroes and would operate only against them. Finally, they argued that it was unwise and wrong because it would disfranchise all illiterate white men. The glaring inconsistency between the last two arguments is to be explained by the fact that they were intended for Northern and Southern consumption respectively.

In spite of the attitude of their parties, a number of prominent republicans and populists were favorable. Thomas Settle, from the time of the adoption of the amendment, endorsed it heartily. Harry Skinner, at the time of the meeting of the legislature, declared that the disfranchisement of the negro was the most necessary and important work before it. William A. Guthrie enthusiastically championed it. There was quite a tendency apparent on the part of the western republicans to urge that the party should unite with the democrats in support of it. Had they done so, it would have meant the rebirth of the party in North Carolina.

In the spring of 1899 the *Cauçasian* was favorable to the amendment, but by autumn it declared its opposition on the ground that there was grave danger of the disfranchisement of white men as well as negroes through the probability, if not certainty, that the Supreme Court of the United States would uphold the educational qualification and declare the grandfather clause unconstitutional. This soon became the stock argument of the entire opposition. Nor was it confined to the opposition, for many democrats felt this to be a fatal weakness of the amendment because likely to defeat it before the people, or, if ratified, to thwart the purpose of its ratification. This was largely discussed in March. April, and May, 1900, and the feeling on the subject was seen to be so strong that it was decided to change the amendment at the June session so as to make the entire section stand or fall together.

Early in January, Senator Pritchard introduced into the Senate a resolution declaring the grandfather clause a violation of the fourteenth and fifteenth amendments and of the fundamental principles of a republican form of government. Both he and Senator Butler spoke on the resolution, which precipitated a debate in which a number of senators took part. The resolution was of course intended to create in the North hostile sentiment against the amendment.

The campaign against the amendment, apart from the discussion and this resolution, was begun when the populist executive committee met on January 9, 1900. They issued an address on the subject and endorsed heartily a letter of Senator Butler's in which he denounced the democrats as anarchists and Red Shirts, and advised fusion with the republicans. The state organization was completely dominated by him to the disgust of many populists who were beginning to feel that few of the aims of the party had been attained, that fusion had been a capital error from which Butler had derived most of the benefit, and that the party was more "boss-ridden" than even the old democratic party had been. Many of these, moreover, were favorable to the amendment.

The campaign was well under way early. Discussion by democrats of their candidate for governor had begun early in 1899 and Cyrus B. Watson, who had been defeated in 1896, M. H. Justice, who had been prominent in the legislature, T. F. Davidson, who had served eight years as attorney-general, and John S. Cunningham, a prominent farmer, had all been mentioned as possibilities. But in the minds and on the lips of the mass of democrats was the name of Charles B. Aycock. Watson did not desire the nomination and Justice and Cunningham soon withdrew. Davidson's name was withdrawn when the convention met. Long before any of these things happened Aycock's nomination was a certainty.

The convention met in Raleigh on April 11th. Every county was represented and every delegation was full. There had never before been a convention like it in the state. "No body more truly representative of all that was best in the life of the state ever assembled in North Carolina. Every profession, every industry was there represented by its strongest, its most eminent leaders, all inspired by a sincere conviction that they had been called together to perform a high civic duty upon which depended the future happiness, peace and prosperity of a great State." Aycock was unanimously nominated and made a speech of acceptance which not only sounded the keynote of the campaign, but lifted the contest from the low ground of race antagonism and prejudice to a plane of high statesmanship, seeking the welfare of the whole people.

Great interest had been felt in the question of the nomination for superintendent of public instruction. Mebane's administration had been, considering everything, a striking success and was full of promise. The office had been divested of partisanship and there was every assurance that this would continue. It was already on a higher plane than it had been since the days of Wiley. Mebane favored the constitutional amendment and thus cut himself off from the fusionists. He had many enthusiastic democratic supporters and the *Charlotte Observer* strongly advocated him, calling constant attention to the fact that he was the first superintendent since Wiley to regard the office as other than a sinecure. The democrats had a second great opportunity to divorce the schools from politics and failed to take it. Mebane deserved the nomination, but partisan feeling was too strong and he was defeated by General Thomas F. Toon.

The rest of the ticket as nominated was for lieutenant-governor, W. D. Turner; secretary of state, J. Bryan Grimes; treasurer, B. R. Lacy; auditor, B. F. Dixon; attorney-general, R. D. Gilmer. The platform made white supremacy the dominating issue, but demanded a complete change of administration and sweeping reform.

The populist convention met a week later and nominated a ticket headed by Cyrus Thompson and A. C. Shuford. The county conventions of the party had been notably weak and twenty-six of the counties were unrepresented. An interesting struggle between Skinner and Butler took place in the convention. Skinner wanted the convention to instruct the delegates to the national convention for Bryan and, as a proof of the sincerity of the party, he proposed the nomination of Dan Hugh McLean and Lee S. Overman for electors-at-large. He declared himself opposed to negro suffrage and apparently made no secret of his bitterness against Butler. The latter was, however, once more in complete control and the convention did not endorse Bryan or nominate McLean and Overman. It condemned the legislature of 1899 for its expenditures, for the laws it had passed, and for the adoption of the amendment. It, however, took no definite stand on the amendment, leaving it to the individual voter to decide upon it and declaring it "not a party question," but proposed as a better solution a federal amendment prohibiting negroes from holding office. It also advocated a special system of county government for the black counties.

The republican convention met on May 1st and was largely controlled by federal office-holders who formed a considerable part of its membership. A ticket headed by Spencer B. Adams and Claudius Dockery was named and a platform adopted which denied that negro domination had existed, condemned the amendment, declared the election of 1898 carried by fraud and violence, and gave to fusion rule, even in the black counties, a hearty endorsement. Not many negroes were in the convention and throughout the campaign every effort was made by both populists and republicans to keep them in the background.

It was common rumor that populist and republican leaders had arranged for continued fusion as early as April, and the democrats at once charged that there was no intention of running both tickets and that one would be withdrawn. In July they spread the report that Adams was coming down. In the meantime many republicans of the older sort, chiefly from the West, like Judge Ewart, were bitterly opposed to fusion and exceedingly hostile to Butler. But late in July Thompson withdrew and a co-operative ticket was arranged with Adams for governor; H. F. Sewell, lieutenant-governor; Cyrus Thompson, secretary of state; W. H. Worth, treasurer; H. W. Ayer, auditor; N. C. English, superintendent of public instruction; and Z. V. Walser, attorney-general. All but Adams and Walser were populists, but the legislature, it was arranged, was to go to the republicans who were to re-elect Butler to the Senate.

In June there was a conference in Greensboro, on the question of how best to defeat the amendment, at which were present among others, R. Z. Linney, W. P. Bynum, Jr., A. E. Holton, and Senator Pritchard. Among other things, it was decided to employ writs of mandamus to force election registrars to put the names of persons denied registration on the books. But news of the plan got out and when the legislature met on June 12th, it amended the election law so as to deny to judges the power to issue writs of injunction and mandamus upon election questions until the facts had been ascertained by a jury at a regular session of the Superior Court.

To remedy the weak point in the amendment, the following clause was added:

> Sec. 5. That this amendment to the Constitution is presented and adopted as one indivisible plan for the regulation of the suffrage, with the intent and purpose to so connect the different parts and to make them so dependent upon each other that the whole shall stand or fall together.

The legislature then, on June 14th, adjourned to meet again on July 24th.

In the meantime the campaign was well under way. The democratic plans had been carefully worked out by the chairman, F. M. Simmons, but after the enthusiasm of the convention, the party had a bad attack of over-confidence. This was partly overcome by sending out thousands of letters and a vast amount of campaign literature. The other parties followed suit and the voters were reached as never before by this sort of appeal.

From that time there was not a dull moment in the campaign. All the parties were active. For the republicans and populists federal office-holders took a prominent part and finally Chairman Simmons appealed to President McKinley, calling attention to the fact that the republican convention and, to a lesser extent, the populist convention also had been dominated by them; that the offices were used as a basis for political activity; and that the republican chairman was United States district attorney. The letter had, of course, no effect upon the President, but it made good campaign literature and was doubtless intended for that.

The managers of the campaign against the amendment were not wise. In addition to activity of officials, the state was filled with threats of federal interference and of the federal arrest of election officials, while the activity of loud and threatening negroes intensified partisan and race feeling.

At the outset the democrats declined a joint canvass with the populists on the question of the amendment. They did this ostensibly because the populists had not opposed the amendment in their platform but were advocating a sort of compromise measure. The democrats declared that it was a straight issue and the republicans, of course, not the populists, were in complete opposition. The real reason, however, was probably to avoid creating a situation which would intensify party spirit among the populists upon whose strength the democrats expected to draw heavily.

The democratic campaign was skillfully planned, cleverly executed, and most successful. Public interest grew steadily and Aycock's canvass became a sort of triumphal expedition. Also it was the most effective part of the campaign. He devoted himself entirely to the race issue and education. In his first campaign speech he asserted that the campaign was one of a single issue—the negro question. "For years," said he, "the Democratic party has been fighting this issue until at last it has made up its mind that it must be settled, and settled once for all. We are going to win this fight, and we want to win it with practical unanimity. I've sort of got used to the unanimous way of doing business, and I'm in favor of it." Defending the amendment, he said:

> This amendment was drawn with great skill. It was drawn after long thought, and with full knowledge of the end to be attained. It was drawn with the deliberate purpose of depriving the negro of the right to vote, and of allowing every white man to retain that right. And I tell you now and here, did I believe that it would cause the oppression of a single man, or deprive one white man, however ignorant or humble, of his suffrage, I would not support it. On the contrary its passage will mean peace to the land, it will mean an end to an era of crime and lawlessness, security to property and purity of politics. There will be no more dead negroes on the streets of Wilmington, no more rule of the incompetent and corrupt.

In the beginning of the campaign he found great suspicion of the section of the amendment limiting the operation of the grandfather clause to a short term of years and such effective use was made of this by the opposition that many democrats feared it would defeat the amendment and there was some agitation to have the legislature at its June meeting strike it out. Aycock was informed of the movement and at once opposed it, asserting that the party was pledged to submit the amendment as adopted. He declared that if a change was made, he would feel compelled to withdraw his candidacy. His courage and his leadership thus prevented a grave error.

During the campaign he made 110 speeches, travelled more than a thousand miles by carriage and 5,000 miles by rail, and addressed 100,000 people.

The chief agencies of the democrats in the various localities were the white supremacy clubs which attracted a large membership. The Red Shirts were once more active, not often given to violence, but still entirely determined. As in 1898 they were occasionally rough, on a number of occasions they prevented republican speakers from appearing, and once or twice they attempted strong measures. In some quarters of the state, the costume was a badge of support of the amendment.

The lines were drawn sharply in the campaign and it became increasingly difficult for white men to face and answer the charge that opposition to the amendment stamped them as advocates of negro rule. The populists early began to divide on the question and there were not lacking republicans who openly championed the amendment as demanded by necessity and, in addition, as the salvation of their party. Among these were Alexander McIver, A. W. Shaffer, one of the surviving carpet-baggers, T. M. Argo, and J. C. L. Harris. In addition, many republicans, who for political reasons did not care to parade their views, voted for the amendment.

On the other hand, some democrats opposed it as unconstitutional. But they were few. The mass of the party supported it enthusiastically; some from race feeling, some from partisan motives, some from the conclusion thoughtfully arrived at that by it alone could good government be secured. A large element of democrats, populists, and republicans acted from still another motive. With vision and foresight, they looked forward beyond the existing party struggle and for the sake of the political ideals of their children—of the state of the future—they were willing to go to almost any length to carry the amendment and thus remove from politics in the state the sore spot which was rapidly impairing the political health, and with it the political morality, of all the people. Many of these had no particular reverence for the fifteenth amendment, believing as most people in the South did, that by reason of the method of its adoption it had never been in morals or in law a part of the Constitution and that hence it was not binding upon their consciences. But with many others this was not the case. They believed that the amendment was probably in conflict with the Constitution and it required a powerful impulse to gain their support. Hope for the ultimate restoration of the sort of political morality which had prevailed in an earlier day and for an educated electorate furnished that and justified their action to themselves.

On July 24th the legislature met and adjourned to July 30th, when it met again. This action was frankly stated to be due to the necessity of watching the Supreme Court in order to prevent judicial interference with the amendment.

The state election had been placed in August by the legislature in order to avoid if possible any confusion with the national campaign and any federal interference. It was held on August 2d and the amendment was carried with a majority of 53,932. Sixty-six of the ninety-seven counties gave majorities for it. Aycock carried seventy-four counties and received a majority of 60,354. The total vote was about seventeen thousand less than in 1896.

The enfranchisement of the negro in 1867 partook of the nature of a revolution. It was now in a measure undone by a counter-revolution, this time accomplished under the required forms of law. The current of progress checked by the negro vote was once more set in motion and the state was ready to go forward to a new day.

After the election forty-five registrars were arrested on various charges and bound over to the federal court. It was in part a means of intimidation and was opposed by many republicans including Senator Pritchard. Judge Furches was also known to be opposed. When the legislature met the cases were still pending and to the rage of the republicans, the expense of counsel for the accused was assumed by the legislature.

The national campaign was of interest chiefly in connection with the primary for United States senator and the election of members of Congress. Bryan's success was a certainty. The senatorial contest was between F. M. Simmons and Julian S. Carr and resulted in the selection of Simmons by a tremendous majority. He carried eighty-one counties. Seven Democratic congressmen out of nine were chosen and the hated White was defeated. Bryan carried the state by a slightly increased majority over 1896 in a much smaller vote than that cast in the state election.

After the election of Simmons by the legislature, Senators Butler and Pritchard attempted without success to induce the Senate, for the first time in its history, to go behind the legislature which had chosen him and decide upon the legality of his election. Their failure was the first victory of the amendment.

The suspicion and hostility among democrats towards the republican members of the Supreme Court was increased by something which happened on October 17th. Theophilus White, the inspector of shell-fish, declined to accept the act of the legislature abolishing his office and sued in the Superior Court to settle his title and after winning there was sustained by the Supreme Court. His salary remaining unpaid because the auditor and treasurer denied having any authority to pay it, in view of the act of the legislature, a controversy without action to compel the auditor to issue his warrant and the treasurer to pay it was submitted to the Superior Court which decided in his favor, and the case was carried to the Supreme Court on appeal. In May, 1900, a decision declaring White entitled to enforce payment was rendered. The decision was written by Chief Justice Faircloth with Judges Furches and Douglass concurring and Judges Clark and Montgomery dissenting.

No writ was issued at the time and the legislature at its June session passed a resolution asking if White's claim had been paid. During the recess of the court the clerk declined to issue a writ and when the court again assembled application for a writ was at once made and refused on the ground that the case had gone off the docket and consequently there was nothing to act upon. The clerk asked several times for a ruling on whether he should issue the writ but the court declined to give this. The three concurring judges, however, advised him personally to issue it. Judge Clark opposed it and finding that it would be issued wrote out a protest containing his dissenting opinion in the case which he demanded to have published in the reports, a request which the court refused on the ground that the case had been closed. Acting under the advice of the judges, the clerk issued a peremptory mandamus upon the auditor to issue his warrant for whatever amount was due, and upon the treasurer to pay the warrant. The amount was found to be $831.15 which the treasurer paid from the shell-fish funds in his hands. A short time later the legislative committee which was charged with the duty of examining the treasurer's books, declined to give the treasurer credit for the payment and the whole matter was thus referred as it were for decision to the General Assembly.

On December 29, Chief Justice Faircloth died and quite a movement developed to persuade Governor Russell to resign so that Lieutenant Governor Reynolds, upon succeeding, could appoint him chief justice. A more unsuitable appointment could scarcely have been suggested. Governor Russell has at times in North Carolina probably been painted a darker hue than he deserved to be, but no one could maintain that he was temperamentally fitted for the supreme bench. He was arrogant and vindictive to an abnormal degree and at times almost venomous in his dislikes. In his private relations he was loyal and friendly to a high degree. He was a very good practitioner but he was not in a strict sense a learned lawyer. More than all these things, public feeling against him was so high that the court would have suffered. Of course the whole proceeding, too, from the standpoint of political morals would have been a questionable one. There is no evidence that either the governor or lieutenant-governor took the matter seriously and early in January Russell appointed Judge Furches chief justice and C. A. Cook associate justice.

And with this entirely creditable action the fusion administration passed into history.

CHAPTER XV

THE RECENT YEARS

The ratification of the suffrage amendment and the inauguration of Charles B. Aycock mark, as sharply as ever is possible, the beginning of a new era in North Carolina. The enfranchisement of the negro in 1867 was scarcely, in fact, more a revolution than the disfranchisement of the mass of the race by constitutional amendment. Not that every hope aroused at the prospect of the removal of the negro from politics was at once gratified. The negro was himself immediately out of politics, but he did not, as will be seen, cease to be a political question. That he has since been in some degree an issue is the fault of both parties; of the republicans, for not frankly recognizing the question as settled; of the democrats, for bringing up the question at times when there was no real danger to be apprehended. But it is a fact that here began the disappearance of the issue, and with it a lessening factor in political life, came a revival and growth of interest in other things. The brake which for more than three long and dreary decades had checked the wheels of progress was at last lifted and the commonwealth, politically and socially, moved forward. And a new generation began to grow up which thought of other things. A new tolerance began to develop and men were able once more freely to debate political questions without thought of the negro or fear for the continued existence of white rule. And at the same time, to make the period still more revolutionary, came the development of public education which was to be the most important fact of the years which followed the opening of the century.

Aycock's campaign had shown that a new type of leadership was in control in the state, and his superb inaugural served to confirm the impression and to give promise to the people of peace and progress. His very selection as a party candidate made it clear that the emancipation of the democratic party had finally come; it was a visible token that the party no longer owed anything save service to the people. Never was there a more suitable choice of a leader to open a new era. As Dr. Alderman said of him, he was "perhaps, the most conspicuous example of the Southern idealist, lifted beyond partisanship and carrying into politics the heart of the reformer and the training of a scholar." He had reached the hearts and minds of the people, he gave them the progressive leadership they had long lacked and earnestly desired, and for the following four years he was the dominating figure in the life and thought of the state.

From a legislative standpoint the session of 1901 was uninteresting. A new and improved election law was passed, the school law materially changed, and four new judicial districts created. There was a considerable increase in legislation limiting the sale of liquor in various localities, bearing evidence to the growth of the prohibition movement. The legislature was confronted with a deficit and the new system of assessment and the new taxes adopted were bitterly unpopular in a great part of the state. After adjournment considerable pressure was exerted to induce the governor to call a special session to correct faults in the law but he refused, claiming that there was a pressing necessity of raising every possible dollar and that he had no reason to believe that the legislature would change the law, if indeed it was desirable to do so.

The legislative session was notable, however, for one thing. It closed with the impeachment and trial of Chief Justice Furches and Judge R. M. Douglas. Reference has already been made to the decision in the White case and its settlement. Two days afterwards the *News and Observer* hinted at impeachment but the press generally was silent until after the election. To the majority of democratic laymen who thought about it at all, already not too well inclined towards the court, it seemed a clear case of the violation of the constitutional provision which declared that the decision of the Supreme Court in cases of claims against the state should be merely recommendatory and that no process in the nature of execution should issue thereon but that it should be reported to the next session of the legislature for action. There was, however, no popular demand for impeachment but so far as can be judged from the press, widespread indifference or at most an inclination to delay judgment until the legislature met. On the other hand politicians who were hostile to the judges welcomed the opportunity to oust them and it was certain that the demand would come from them at least when once the session began.

Upon the assembling of the legislature there was much discussion of the question among the members. At first it seemed hardly likely that the movement for impeachment would prevail. But in addition to the politician class alluded to, there was a large group of able, sincere, and conscientious men who felt that a vital principle was at stake and that action should be taken. Their feeling was greatly strengthened by the demands made to the legislature by local attorneys, representing holders of North Carolina bonds who had not accepted the compromise of 1879, and who asked for a full settlement. What, argued this group of members, was to prevent the Supreme Court from enforcing the payment of such claims in the same way? Could not the repudiated special tax bonds also be collected? Still another group, a small one, however, while admitting the unconstitutionality of the judges' act, contended that they should be censured, but not impeached. The case was highly technical and the laymen were in the hands of the lawyers.

On January 3d, Locke Craig, of Buncombe, introduced a resolution of impeachment against the two judges. The resolution was referred to the judiciary committee and a sub-committee of investigation was appointed, which reported after taking testimony that the judges were impeachable, but declined to make a recommendation. Judge Connor, a member of the sub-committee, wanted a resolution of censure passed, believing that the judges had over-stepped their powers and treated the legislature flippantly and contemptuously, but he was opposed to impeachment. The judiciary committee voted twenty-four to ten for impeachment and made a favorable report on the resolution to the House on February 8th. The republican minority presented a strong legal report upholding the judges, and Judge Connor offered a resolution of censure.

The debate was opened by Craig in a bitter and fiery speech, and continued for several days. On February 18th, after the Connor resolution had been defeated, eighty-five to twelve, the impeachment resolution was adopted by a vote of sixty-two to thirty-three, thirteen democrats voting in the negative. In the action finally taken both the elements of the opinion discussed were present. It was not as often alleged purely a political prosecution, for it cannot be said to have been dictated by partisanship much further than is true in the large majority of impeachment cases. But, on the other hand, it would be a grave mistake to think that partisanship did not play a part and an important part. Many of the members, however, who voted for impeachment, had taken their position regretfully and only under the compulsion of principle and conscience. The case did indeed offer abundant room for difference of opinion and outside the legislature as well as inside, men differed widely. The republicans, of course, opposed the decision of the House and on February 21st filed a written protest against it.

A board of managers, consisting of William R. Allen, Locke Craig, George Rountree, A. W. Graham, R. H. Hayes, J. F. Spainhour, B. B. Nicholson, F. M. Shannonhouse, and A. A. F. Seawell, was elected and on February 20th, a committee of the House, headed by Francis D. Winston, impeached the judges at the bar of the Senate. On February 23d, five articles of impeachment were adopted and presented to the Senate by the managers in a body. As summarized by Judge Long they follow:

The first article charged that the respondents unlawfully and wilfully, and in violation of Art. I, Sec. 8, Art. IV and Sec. 9, and of Art. XIV, Sec. 3, of the constitution, and of the laws, caused the mandamus writs to issue in the case of White *v.* Auditor, when there was no appropriation for the payment of White's salary and account.

The second article charged respondents with intending to bring the General Assembly into disrepute and wilfully and unlawfully and defiantly and contemptuously violating the provisions of chapter 21, Laws of 1899, and of the constitution respecting the issue of process in the nature of execution to collect a claim against the state.

The third article charged that on the 14th day of June, 1900, twenty-three days after the decision and judgment, in White *v.* Auditor, the legislature passed a resolution of inquiry, and made inquiry by two of its members of the treasurer, whether the claim of White had been paid, and that the legislature intended thereby to forbid payment to White, and that the respondents, knowingly, wilfully and wrongfully directed the writ to issue in violation of the constitution and of the acts of the General Assembly.

The fourth charged the respondents with directing the writs to issue unlawfully and contrary to the course and practice of the courts, (1) because the claim was one against the state, and should have been brought originally to the Supreme Court, and not submitted in the first instance to the Judge of the Superior Court; (2) that the writs were issued in wilful disregard of statutory provisions relating to writs for mandamus; (3) that the writs were issued contrary to the course and procedure of the Supreme Court; (4) because the writs were in disregard of chapter 19, Laws of 1899; (5) because one of the associate justices was denied the right to file a protest and dissent respecting the issue of the writ at the fall term, 1900, this being about five months after the case had gone off the docket by final judgment.

The fifth article indefinitely charged that at various times, and in numerous decisions (referring to the office-holding cases), the respondents wilfully, unlawfully, persistently, intentionally, contemptuously, and by a specious course of reasoning, disregarded, nullified, destroyed and defeated, as suited their purpose, the acts of the General Assembly in violation of the constitution, and that in culmination and consummation of this persistent, wilful and unlawful intent, caused to be issued the writs of mandamus, and the claim of White for $831.15 to be paid.

On February 25th the Senate organized as a court of impeachment and summoned the judges, who replied through F. I. Osborne, T. J. Jarvis, C. M. Cooke, William P. Bynum, Jr., F. H. Busbee, B. F. Long, and J. Lindsey Patterson as counsel. The managers associated with themselves as counsel C. B. Watson, T. F. Davidson, W. A. Guthrie, J. H. Pou and C. M. Busbee.

On March 6th the answer of the judges was made. It was a long and elaborate document and in itself constituted an able defence. The respondents admitted of course the fact of the decision and the issuance of the mandamus, but denied that it was issued illegally or that they had shown any disregard of their oaths or their official duty to obey the constitution and laws of the state. They also denied any usurpation of legislative authority or intention to bring the General Assembly into disrepute or disgrace. They argued that the claim of White was not against the state, and replied to the charge of political partisanship by reciting the history of the court in relation to the "office-holding cases."

The trial lasted seventeen days. Judge W. R. Allen, the chairman of the board of managers, opened for the prosecution which then introduced eleven witnesses. The managers sought to show a partisan spirit running through all the decisions in the "office-holding cases," and, while they denied any necessity to prove a guilty intent, sought to prove "an attempt to prevent the people from controlling the exercise of their public offices" and "to weaken the power of the General Assembly." They were successful in proving that the judges had contradicted themselves in the decision of the case and that they had taken a position at variance with certain precedents of the court. They were, however, unable to prove political partisanship or evil intent.

The case for the respondents was opened by Judge Bynum in a speech of great power, after which sixteen witnesses were introduced, including the two respondents who proved to be powerful witnesses in their own behalf. A large group of prominent lawyers, most of them democrats, had been summoned as expert witnesses to testify as to the legality of the judges' action, but were excluded by the court as incompetent. The defence, basing their action upon the case famous in North Carolina legal history, of Hoke *v.* Henderson, sought to prove the constitutionality of their action and contended that even if they had erred it was an error and not a deliberate violation of law and that it was necessary to prove a guilty intent to secure conviction.

After argument of counsel, closed for the respondents by Osborne in a superb speech which was the most impressive of the trial, and for the managers by Watson, the vote was taken on the first article. It resulted in acquittal twenty-seven to twenty-three, twelve democrats voting "Not Guilty." The managers then declaring that the first article contained the most serious charge, offered to withdraw the others, or have a verdict of "Not Guilty" entered. It was finally decided to have the vote taken on each, at the conclusion of which the Senate as a court adjourned *sine die.* The votes resulted:

	Guilty	Not Guilty
Article I	27	23
Article II	24	26
Article III	24	26
Article IV	25	25
Article V	16	34

A majority of people in the state, apparently, had already decided just as the Senate did. There was much confusion of thought in regard to the legal questions involved, but there was nothing like a general belief that the judges had been guilty, with intent, of any offence worthy of conviction. Both Judge Furches and Judge Douglas had prior to their elevation to the bench been men of pronounced political convictions and had been active in politics, but on the bench, up to the White case, at least, they had very successfully divested themselves of any bias, and worthily upheld the high standard of the Supreme Court of North Carolina. It was impossible to make the mass of thoughtful men believe that the two judges who in twenty-three of the thirty-nine "office holding cases," involving judges, solicitors, railroad commissioners, and the control of state institutions, had either written or concurred in opinions which ruled in democrats and excluded republicans and fusionists, were biased judges, or, as Judge Long phrased it, that, corrupted, they "hauled seines for minnows." Many, however, who opposed impeachment, believed the judges' position in the case wrong and their action a dangerous precedent.

During the course of the trial there was, as during Holden's trial, much loose talk and numerous threats of federal interference. There was of course no talk of a new reconstruction, but it was confidently urged that if the judges were convicted, the amendment would be overthrown, the indicted registrars severely punished, and the state visited by some federal punishment, undescribed and mysterious, but full of horror. These had no effect of course. Soon after the conclusion of the trial the cases of the registrars were all nol. prosed by agreement, largely through the influence of Senator Pritchard.

Reference has been made to the attempt to secure from the legislature a settlement of certain of the state bonds belonging to the second class under the compromise of 1879, the owners of which had declined to accept the terms of the compromise. Each bond carried the pledge as collateral of ten shares of railroad stock owned by the state. The claimants were Messrs. Schafer Brothers who owned bonds to the face value of about $250,000. Through their attorney, F. H. Busbee, they filed a memorial asking payment, but the legislature declined to take any action and on October 7, 1901, the State of South Dakota applied to the Supreme Court of the United States for permission to file a bill against the State of North Carolina, Charles Salter, and Simon Rothschilds, the two last representing the other bondholders, to enforce the payment of ten bonds then owned by it. No demand had been made upon the state for payment and it was presently to appear that this was not an oversight.

It developed later that Senator Butler, who had been in South Dakota in 1900 in the interest of Senator R. F. Pettigrew, had suggested to the latter that he might be able to get a donation for the state university. In March, 1901, probably at the instance of Pettigrew, the legislature of South Dakota passed a law providing for the acceptance of gifts of bonds and for suit if necessary to enforce payment. In January, Senator Butler and Daniel L. Russell had been employed as counsel by Schafer Brothers and after failure to secure a settlement from the legislature, Simon Schafer donated ten of the bonds to South Dakota. In his letter appeared the following paragraphs:

> The owners of these bonds are mostly, if not entirely, persons who liberally give charity to the needy, the deserving and the unfortunate.
>
> These bonds can be used to great advantage by state or foreign governments; and the majority owners would prefer to use them in this way rather than take the trifle which is offered by the debtor.
>
> If your state should succeed in collecting these bonds, it would be the inclination of the owners of a majority of the total issue now outstanding to make additional donations to such governments as may be able to collect from the repudiating state, rather than accept the small pittance offered in settlement.
>
> The donors of these ten bonds would be pleased if the Legislature of South Dakota should apply the proceeds of these bonds to the State University, or to some of its asylums or other charities.

In October, 1900, ten bonds of the same class had been offered for redemption under the compromise of 1879 and had been cancelled by the treasurer when Governor Russell held up the transaction and notified his law partner, who was employed as counsel for some of the holders of state bonds, of the fact of their presentation. A few days later a demand was made for the return of the bonds and the treasurer was compelled to write a certificate on each that its cancellation was void. Eight of these were in the number given South Dakota. These facts did not become known until later.

Governor Aycock at once employed counsel to assist the attorney-general in defending the suit and it was argued in April, 1903. A rehearing was asked for by the court and was held in January, 1904.

In its complaint South Dakota asked for an accounting of all the railroad stock owned by the state and its sale to satisfy not only the judgment prayed for, but also to pay the other outstanding bonds.

Rothschilds filed no answer but testified that his interests were all in the hands of Schafer Brothers. Salter filed an answer containing the plea that all the pledged stock should be sold and applied to the payment of the bonds.

The state in its answer denied the jurisdiction of the court and also the title of the plaintiff. It claimed that the bonds had not been issued in conformity with the statute and denied that the mortgages were properly executed or that they had the effect of conveyance or transfer of the stock pledged. It further sought to show that the suit was not bona fide, but was the result of a conspiracy of the bondholders.

In February the court handed down its decision in favor of South Dakota, Mr. Justice Brewer writing the opinion with Mr. Justice White writing a dissenting opinion which was concurred in by Chief Justice Fuller and Justices McKenna and Day. The court ordered the marshal to sell the pledged stock at public auction to pay the amount of the judgment which was $27,400. The state then asked for an extension of time until the meeting of the legislature. This was granted and when the legislature met the governor laid the matter before it.

The democratic platform adopted in June, 1904, contained the following plank: "The Democratic party approves the settlement made in 1879, and will forever oppose any and all attempts from any quarter to set aside the settlement then made. It will abide the mandate of the courts, but it will not consent to re-open a settlement that was alike creditable to the State and fair to the holders of its securities." It was nevertheless clear that the judgment had to be paid or the stock sold and that unless some arrangement was made for the settlement of the other bonds of the same kind the state would be continually annoyed and harassed by similar suits. Consequently the claim of South Dakota was paid and the matter of the other bonds taken up. The holders made propositions ranging from $395,000 to $242,000, but finally agreed to accept 25 cents on the dollar of the principal together with interest on the bonds and coupons from 1879, amounting to $982 on each bond, a total of $214,000, at which figure a final settlement was made.

Many people in the state felt relief at the payment of what was generally regarded among the informed as an honest debt. But this was largely obscured and overwhelmed by the more dominant feeling in the state which was one of disgust and of anger at the method of procedure, the underlying purpose of the suit, and the participation in it, as counsel, of the governor and a United States senator. Senator Butler was not a universally beloved figure before but his part in this business made him possibly the worst hated man in the history of the state and made him henceforth an object of suspicion to thousands who before had for him no particularly hostile feeling. He has explained his acceptance of the position as counsel plausibly and by no means unconvincingly, but his explanation has not served to dispel the dark cloud of popular disapproval, a fact which his political opponents have not been slow to take advantage of.

From the time the suit began one great blunder was made in general by the democratic politicians and the democratic press. Persistently the bonds were spoken of as "carpet-bag bonds," and "special tax bonds," and generally they were declared fraudulent. In consequence the valid bonds in question became confused in the public mind with the repudiated bonds, and when the Supreme Court upheld the validity of the construction bonds, many people, in and out of the state, believed that the validity of the carpet-bag bonds had been sustained. In this way, those who thus erred, some from ignorance and some deliberately, played into the hands of the conspirators who desired to enforce the payment of the special tax bonds. As a matter of fact, it is a question if it would not have been wise to pay the bonds without contesting the suit in order to make as sharp a distinction as possible between the two kinds of bonds. But of course the circumstances attending the suit and the motives behind it made it difficult to do this. But certainly the settlement by the legislature in the end was wise and just and placed the state in a better position than before for contesting any claim based upon the special tax bonds.

This matter concluded, the purposes of the South Dakota suit were soon made more apparent. In 1901 the North American Trust Company of New York City had begun to collect Southern bonds for collection on a 50 per cent commission basis. In April, 1905, advertisements for North Carolina special tax bonds, inserted by John G. Carlisle and

Jefferson M. Levy on behalf of a bondholders' syndicate or committee, began to appear in New York newspapers. A little later the following advertisement appeared in several papers, including the *Evening Post*:

THE COLLECTION OF STATE BONDS REPUDIATED IN WHOLE OR IN PART

The recent decision of the Supreme Court of the United States, entitled ''South-Dakota vs. North Carolina,'' wherein the former state secured a judgment against the latter on ten bonds, par value, $10,000, amounting with interest to $27,400 (which has just been paid) has greatly enhanced the value of all other repudiated state bonds, because it has established the law and the procedure by which they can be enforced.

The undersigned committee, in 1901 pooled all of one issue of North Carolina bonds and originated the plan by which the above successful results were brought about, and obtained a settlement for the individual bondholders, at a little less than par, of their entire holdings of these bonds.

This committee is now ready to proceed with the collection of all other repudiated bonds of every class, of each state.

This committee has no connection with any other committee, and it knows that it alone is now in a position to avail itself of the benefits of the above mentioned decision.

Those who desire to enforce the collection of their bonds will deposit the same with the North American Trust Company, 195 Broadway, New York City, and receive receipts therefor and a contract agreement under which the undersigned committee will undertake to collect the same.

W. N. Coler & Co.,
R. F. Pettigrew,
D. L. Russell,
Marion Butler.

Depositary,
North American Trust Co.,
195 Broadway, New York City.
Wheeler H. Peckham, Counsel.

Senator Butler in a speech made in Raleigh in 1910 stated that when he found that carpet-bag bonds were being accepted by the committee he had the advertisement stopped and declined to have anything further to do with the matter. In 1906 he was approached by a representative of the Carlisle syndicate which wished to employ him. The following are extracts from his reply:

These bonds were issued by a Legislature largely controlled by aliens and irresponsible native associates, mostly blacks. These bonds

> sold for little on the market, and that little was largely, if not wholly, stolen by the carpet-baggers and their associates.
>
> * * * So my advice is to have nothing to do with the Carlisle Committee. At any rate, I will have nothing to do with their efforts to collect these bonds or any other fraudulent bonds issued by a carpet-bag Legislature. My position is that I will not act as counsel, or directly or indirectly have anything to do with any effort to collect any bonds that are not honest, and for which the state did not get a valuable consideration.
>
> * * * If an attempt is made to collect these bonds, I not only will not be employed, but I will oppose such an effort.

In 1905 the bondholders planned to induce Venezuela to accept some of the bonds for suit but the plan for some reason fell through. The following year the committee offered a large number to Colombia with an expression of regret at the treatment of that country by the United States. Hayne Davis, a native North Carolinian, who was at the time counsel in the Colombia legation, advised against acceptance and the offer was refused.

In 1905 the legislature of New York, presumably at the request of the committee, passed a law providing for the acceptance of gifts of bonds, and directed the attorney-general to bring suit on them when necessary to secure payment. Bonds were then offered the state, but Governor Glenn wrote Governor Higgins such a statement of the character of the bonds that the offer was promptly refused. In the same year a similar offer was made to Michigan which in 1901 had passed a law providing for acceptance. Governor Warner laid the matter before Governor Glenn whose letter of reply and explanation made acceptance impossible.

By this time South Dakota had attained a rather unpleasant notoriety and the governor, in his message of 1907, urged that the proceeds of the suit be returned to North Carolina.

In 1910 the State of Rhode Island demanded the payment of bonds which had been given by the Carlisle syndicate the year before. These were fifty-three bonds issued for the Wilmington, Charlotte, and Rutherford Railroad, thirty bonds issued for the Western, twenty bonds issued for the Atlantic, Tennessee, and Ohio, fifty issued for the Western North Carolina, and thirty-two issued for the Williamston and Tarboro, with a total of 11,367 coupons attached, the total face value being $511,010. It then developed that in May, 1909, a law had been quietly put through the legislature, making the acceptance of such gifts mandatory. When Governor Kitchin stated the nature of the bonds to Governor Pothier, the latter gave the matter very careful consideration and finally decided that it would be a blot upon the state to accept such a gift. Public sentiment in the state endorsed this view and the legislature, which was in session at the time, repealed the act over the protest of the bondholders, represented by E. L. Andrews who stated that an effort would be made to induce other states and some of the South American republics to accept them. The *Providence Bulletin* and the *Providence Journal* both opposed acceptance, the former saying:

> When a state receives as a gift from men who are actuated by ulterior motives a claim against another state, there seems to be something peculiarly dishonorable about attempting to collect it by recourse to the courts. Rhode Islanders of sensitive feelings will not thank the committee which gave the state repudiated bonds and coupons of the State of North Carolina to the full value of over half a million dollars and they will find fault with the Legislature that passed a law compelling the general treasurer to bring suit to collect such a "debt."

In 1910 Nevada was offered certain of the bonds and Governor Dickerson refused to accept them. An application for a mandamus to compel acceptance was made and went on appeal to the Supreme Court of the state which upheld the application, whereupon the legislature repealed the law providing for acceptance.

In 1916 the syndicate offered the State of Missouri a large number of the bonds. Governor Major, who was opposed to acceptance, consulted Senator Simmons and upon receiving information as to the bonds was able to persuade the other members of the board, charged with the decision of such questions, to refuse the offer.

Doubtless other states have been offered bonds, but if so, the facts were not made public, and with the failures in Nevada and Missouri the bondholders apparently lost hope of inducing any state of the Union to share in the disgraceful business. From time to time they have made demands upon the governor to bring the matter to the legislature but of course have gained nothing thereby.

Although there was nothing to be gained in this country, there was still hope in a foreign country and in 1916 Cuba filed a petition in the Supreme Court of the United States for leave to sue the state for the payment of certain of the bonds held by that country. The state at once employed counsel and preparations had been made for contesting the petition when Senator Overman, who had introduced in the Senate a resolution of inquiry into the matter, was notified by the Cuban minister that President Menocal had revoked the decree giving authority for the suit, and thus ended the matter.

The campaign of 1902 was in many ways the most interesting conducted in the state since 1900. It preceded the first election to be held under the provisions of the new amendment and both parties exerted every effort to carry the state. For victory the republicans relied on the natural reaction, and upon the discontented democrats, whom they now declared to be emancipated from the the negro question. By 1902 every negro postmaster in the state but one had been removed and the soft pedal was put on hostile discussion of the amendment. But the amendment was not accepted as a finality and at intervals it was bitterly attacked as unconstitutional and politically immoral. Talk of the setting aside of the amendment by the Federal courts was frequent and there were constant threats of the indictment of all registrars or election officials who denied to any negro the right to vote. Consequently the "Lily White" movement which began in North Carolina in this campaign, although it seriously alarmed the democrats, was really of comparatively little importance, particularly after President Roosevelt made it known that, contrary to the general belief, he opposed it.

That there was a considerable body of discontented democrats was well known. A large element in the party was opposed to Bryan and all his works. A growing number, chiefly manufacturers and other business men, were friendly to protection and the new imperialistic tendency of the republican party. Others were unfriendly to those in control of the democratic party. They had all been kept in line by the presence of the negro in politics and the misgovernment which had always attended the dominance of the race in the republican party.

With the negro finally removed they thought they saw an opportunity to re-shape, even to re-create, the party, although the majority were not quite ready to take the final plunge which was involved in a change of name. In other words, traditional dislike of the republican party was still a powerful factor in politics in the state. The republicans of course welcomed the possibility of an alliance which would restore them to power.

The only state officers to be chosen were the chief justice, two associate justices and the superintendent of public instruction. Judge Clark was a candidate for chief justice and considerable scattered opposition to him developed in the party, although it was soon apparent that his nomination was certain. Henry A. Page delivered the first democratic attack upon him without much apparent effect. In April, Maj. James W. Wilson, the former railroad commissioner, published a bitter attack, charging that he had been hand and glove with the fusionists, that he had tried to persuade them to elect him to the Senate in 1895, that he had been the confidential political adviser of Butler and Russell, even seeking to secure from the latter the appointment as chief justice to succeed Faircloth, and that he had only come back into the democratic camp when he saw that fusion faced certain defeat. He also declared him unfit for the office because he had interfered in the preliminaries of cases upon which he would later sit. He declared that letters proving his contention were still in existence. The *Charlotte Observer* and the Raleigh *Morning Post* aired the matter fully and much attention was aroused. Demands for the letters grew loud and the immediate defence offered by the friends of the judge was seen to be hopelessly weak without them. Finally in May Judge Clark published a reply which included certain letters to Russell which he defended. They showed that he had advised Russell legally but they did not bear upon the political charges at all.

When the democratic convention met, Judge Clark was nominated for chief justice and Platt D. Walker and H. G. Connor for associate justices, the latter winning the nomination after a close race with Judge George Brown. Soon afterwards Thomas N. Hill, of Halifax, a democratic lawyer of some reputation, announced his willingness to accept the nomination for chief justice as an independent democrat, if it was tendered by an assembly of democrats. A meeting of independents was held in Greensboro at which he was nominated and local meetings in a number of cases endorsed the nomination. The republican convention also endorsed him making no nominations for associate justices. But when the election came the names of Connor and Walker were placed upon the ticket.

The republican convention for the first time in the history of the party in North Carolina contained not a single negro delegate. A number appeared but were in all cases replaced by contesting white men. A resolution declaring the acceptance in good faith of the amendment was offered and defeated, and the following rather ambiguous plank inserted in the platform: "We declare that when the constitutional amendment was adopted by the people of North Carolina two years ago, it passed out of the realm of politics, and that if Governor Aycock, Senator Simmons, and others keep faith with the people in the pledges then made, there can be no such thing as a race issue in the present campaign."

In the campaign, however, the democrats declined to omit the race issue, declaring that until the republicans accepted the amendment unreservedly, the negro could not cease to be a political question. There was, of course, some justification for this position. In addition, the effectiveness of the issue had been proved in 1898 and 1900 and there were many in the party, fortunately only a minority, who did not want to see it disappear. Consequently, it was discussed considerably throughout the campaign and with considerable effect, since most people believed that if the republicans should win, the amendment in some way would be overthrown and the right of suffrage restored to the negro. And there is but little reason to doubt that such would have been the case. For the rest, the democrats drew comparisons between republicans and democratic rule and asked the people if they were willing to restore the former. The "clean" administration to which the republicans invited the attention of the people was declared to be typified in the various scandals already described and in the defalcation from the state treasury of more than $16,000 by Major Martin, a republican politician, who was a clerk in the office. This had only been discovered after the democratic administration had come in.

The republicans sought chiefly to secure the support of the business classes and to carry the legislature which would secure the re-election of Senator Pritchard. Senator Pritchard was active in the campaign and conducted a joint canvass with Locke Craig which excited much interest. On the whole, the contest was spirited but lacked entirely the intensity which had characterized the campaign of 1900. The Red Shirts did not reappear.

The election showed a decrease in the vote of approximately one-third. The republican vote was about 70,000. The democrats were victorious at all points. Judge Clark received more than 60,000 majority, there was easy control of both houses of the legislature, and every congressional candidate was elected.

By 1902 Aycock's educational policy had aroused much mild opposition and some bitter antagonism in the state. His utter sincerity in continuing to press it caused considerable surprise as well, for there was a large element who had used education merely as a political catch-word designed to attract votes, and when they saw the party safely back in power, they were content to forget its pledges. Particularly was this the case as concerned the education of the negro. Feeling on this point was very strong in the East and very general. In the legislature of 1901, bills were introduced providing for the submission to the people of a constitutional amendment dividing the school taxes between the races on the basis of what each paid. These were strongly opposed by Judge Connor, who was chairman of the committee on education in the House. Governor Aycock finally made it clear that he would regard the passage of any such bill as so clearly a violation of the party pledge given through him to the people that he would resign. The bills never came to a vote, but in 1902 a number of democratic county conventions declared for division and the question was thus again brought up. In his message of 1903, Aycock attacked the proposition and by his opposition secured its defeat as he did again in 1905 when the discussion was finally ended.

Governor Aycock lost some friends by his course and was the object of bitter criticism, but he never faltered and the fight he made was one of the bravest acts of his career and also one of his chief titles to fame. In the end he won the respect and support of all. Not that he did not go out of office with a diminished reputation; almost every governor of North Carolina does that, probably because the lack of power in the office prevents any man from living up to the hopes entertained of him. But he steadily regained power with every class and was the most beloved and trusted man in the state when death found him preaching the gospel of universal education. Aycock never had just the same sort of hold upon the people that Vance had. Vance was beloved for what he had done in behalf of the people as war-governor, and his magnetic power and contagious broad humor. Aycock was also magnetic, not lacking in humor, it is true, but he was of a far more serious type than Vance and he was far more unselfish. He was a born politician in the sense that he instinctively knew the people and could arouse their sympathies and touch their hearts. In his dealings with them he was always utterly sincere, always preferring the open, despite the fact that he was never cautious in his convictions. His is the outstanding figure of his generation.

Just before the close of his term the governor had to settle a very vexing question,—that of the Atlantic and North Carolina Railroad. It was a valuable property, two-thirds of which was owned by the state, and undoubtedly had not been developed to its full capacity although it had been improved under new management during Aycock's administration. In the winter of 1903-1904 several propositions to lease the road were made, one of them by V. E. McBee, who had been prominent in the affairs of the Seaboard Air Line, and K. S. Finch. They proposed to pay 3 per cent on the stock. Governor Russell in 1901 had recommended that the North Carolina and the Atlantic and North Carolina roads be sold, and a number of different interests were thought to be seeking control of the latter. It was a time for careful consideration and the governor, who had the decision of the matter, was giving much thought to it when Finch, who had never been a stockholder in the road, succeeded in making a contract for a sale to him of forty-five shares whenever a lease to him should be made. He then applied to Judge Purnell of the United States District Court for the appointment of a receiver, alleging mismanagement of the road. Judge Purnell, who was at the time out of the state, appointed McBee receiver without giving notice to the state or to the other stockholders. In his petition Finch asked that the road be leased. At the same time he and McBee withdrew their bid for a lease. The state was in an uproar immediately. Judge Purnell returned to the state and, aware that he had exceeded his power, signed a new order. An effort was at once made to reach Judge Simonton of the Circuit Court and after some delay he ordered a hearing. The governor then had the attorney-general and the officers of the road secure a bench warrant from Chief Justice Clark for the arrest of Finch and McBee. Upon investigation the case was seen to be clearly one of conspiracy, and on March 17th, Judge Simonton and Judge Purnell signed a decree dismissing the receiver.

But the matter was not ended. On May 3d, John P. Cuyler, of New York, a stockholder of the road to the extent of thirty-seven shares, applied to Judge Purnell for the appointment of a receiver and on May 28th T. D. Meares was appointed and a few days later McBee was made co-receiver. An appeal to the Circuit Court was made immediately after Judge Purnell's order.

The morning after, the *News and Observer* contained a sharp and entirely deserved criticism of Judge Purnell's conduct in the whole matter with particular reference to the action of the preceding day. The judge at once had a rule for contempt served upon Josephus Daniels, the editor, and, refusing any extension of time or argument, fined him $2,000 and ordered him jailed until the fine was paid, at the same time denying an appeal from his decision. This action was of course entirely without justification either in law or morals.

In the meantime the receivership case had been laid before Chief Justice Fuller who at once issued an order allowing the officers of the road to give bonds and retain possession until the case was heard on appeal. When this order was presented to Purnell, he questioned the right of the chief justice to issue it but of course ended by obeying it. The receivers then declined to recognize the demand of the superintendent of the road to yield possession, upon which Governor Aycock ordered them dispossessed by force, even if necessary with the use of the militia, whereupon they surrendered.

Judge Simonton had died in April and Senator Pritchard had been appointed by President Roosevelt to succeed him. Application was at once made to him in the contempt case for a writ of habeas corpus and on June 3d, he granted it. Judge Purnell at the news of this hurriedly decided to allow appeal. Judge Pritchard, however, took jurisdiction and held an investigation on the writ of habeas corpus and dismissed the case, delivering an opinion which cut the ground from under Purnell who, after having been made a tool of by the conspirators, had yielded to bad temper, probably under the spur of a guilty conscience.

The Cuyler suit was finally dismissed and the attorneys claimed liberal allowances. These were refused and the state was completely triumphant in the discomfiture of those who had planned to loot the road. There had been much popular opposition to a lease, but this experience converted many and when in September, 1904, the road was leased to the Howland Improvement Company for a long term of years, there was little objection. A committee of investigation, appointed by the governor at the time of the first suit, had reported honest and economical management but had frankly advised against further control by the state, and this influenced many.

In 1907 there was another and more exciting contest in relation to railroad conditions in the state. The legislature of 1907 passed a law prescribing a lower passenger rate and setting heavy penalties upon any railroad or employe violating it. The law was argued before the corporation commission in May and the railroads not obtaining relief applied to Judge Pritchard who issued a restraining order against the corporation commission and the attorney-general, enjoining from putting the law into effect. He also appointed a commission to inquire into the rates to ascertain if they were confiscatory and ordered the original rate maintained with rebate coupons attached to the tickets for use in the event that the new rate was upheld. The rate law went into effect without action of the corporation commission or attorney-general on August 8th, and agents in Asheville and Raleigh were arrested for its violation. In the Asheville cases, Judge Pritchard declared the penalty clause unconstitutional and released the agents. In the Raleigh case, the agent was arrested, tried before Judge Long, of the Superior Court, and sentenced, and the Southern Railway was fined $30,000. He was released by Judge Pritchard, and Governor Glenn replied to this by an order for the execution of the law by the state authorities. Another agent was arrested, tried, and convicted only to be released by Judge Pritchard. Application was made to him for the arrest of Judge Long and Governor Glenn announced his intention of protecting the latter, if necessary by the use of force. Judge Pritchard then declared, "This court is confronted with open and avowed opposition by the powers of the state," and laid the matter before President Roosevelt who sent down Assistant Attorney-General Sanford to effect a compromise. Governor Glenn demanded as a preliminary condition that the roads obey the law and on August 27th, the Southern Railway accepted the proposition. It was then agreed as part of the compromise to expedite the injunction suit and the habeas corpus cases, to have the Wake County case carried at once to the Supreme Court and then on writ of error to the Supreme Court of the United States, and that all other proceedings under the law be suspended until the courts should act.

In October Governor Glenn held a conference with Governor Comer of Alabama and Governor Smith of Georgia at which it was agreed that the states must control traffic within their borders. In November the governor held a conference with a large number of citizens of the state on the same subject.

The state Supreme Court upheld Judge Long except as to the $30,000 fine imposed on the Southern Railway. The case then went to the United States Supreme Court which in the next year declared the law unconstitutional. But in the meantime a compromise with the railroads had been arranged and a special session of the legislature had been held to put it into effect.

The special session was notable not only for the settlement of the railroad question; it also marked a climax in the prohibition movement.

Mention has been made already of the growing sentiment in the state for prohibition. By 1903 more than half the state was "dry" territory through local laws. In the same year the Watts law was passed which forbade the manufacture and sale of liquor elsewhere than in incorporated towns. It also provided for local option elections. This was a great step forward and led to a more rapid progress of prohibition, but it was rendered less effective by the incorporation of towns purely for the purpose of traffic in liquor. So in 1905 the Ward bill was introduced which produced great excitement and caused gloomy predictions as to the certain defeat of the democratic party at the next election. This proposed law provided that no liquor could be manufactured or sold in towns of less than 1,000 population. Freedom of shipment from "wet" towns in the state had already almost nullified prohibition in some sections of the state and so in another act it was provided that the place of delivery was under the law to be regarded as the place of sale. There was so much opposition that a meeting of the democratic executive committee was called to consider what course should be pursued. Wisely, the committee declared liquor legislation not a party matter and declined to take any action. Both bills were passed and became laws.

Under these laws prohibition had a chance to prove its possibilities. Everywhere the results were good and sentiment for prohibition grew fast. State-wide prohibition, however, was regarded as a thing to be achieved in the distant future. But when the special session of 1908 was called, a wave of interest and enthusiasm on the subject appeared and rose steadily. When the legislature assembled it was flooded with petitions and sentiment became so strong that a bill was passed submitting the question of state prohibition to the voters, for decision at a special election. A campaign followed which was without political significance, leaders of both parties taking part. Nor did it have any special interest although bitterly contested. Prohibition was carried by a majority of more than 44,000, only twenty counties voting against it and the western counties giving it heavy majorities. The law was effective and highly beneficial from the beginning. From time to time, in accordance with public sentiment it has been supplemented by other laws designed to check the traffic across state lines, such as limiting the amount that might be received within a given period.

In the years following 1900 there was such a vast increase of local and special legislation that the legislative machinery was clogged by it at every session. Many of those who served in the legislature recognized the evil clearly, but the pressure of the system was too great to be overcome. In his message of 1911 Governor Kitchin recommended the amendment of the constitution in several respects but chiefly in the direction of limiting special legislation. At the same session a bill for submitting the question of a constitutional convention to the people was introduced, but received little consideration. Two years later there was considerable interest in the subject and quite extended discussion in the state press before the legislature met. When the session began there were before the members numerous proposals for amendment and a bill for a convention. The legislature admitted the necessity for amendment, but decided against a convention and created a commission on constitutional amendments composed of five persons chosen by the Senate from its own members, eight chosen similarly by the House, and five others appointed by the governor. The commission was charged with the consideration of all proposals for amendment, and the recommendation of such as it decided upon to a special session of the legislature. The commission was appointed and in July submitted fourteen amendments which were laid before the special session held in September. Ten were adopted which proposed (1) to substitute the phrase "War Between the States" for the words "insurrection and rebellion against the United States"; (2), to increase the compensation of members of the General Assembly; (3), to restrict local, private, and special legislation; (4), to fix the day of inauguration of the governor; (5), to prevent delays in trials by providing emergency judges; (6), to remove certain obsolete sections from the constitution; (7), to reform the system of taxation; (8) to prohibit special charters of corporations by the General Assembly; (9), to prohibit special charters of towns, cities, and incorporated villages by the General Assembly; and (10) to require a six months term in the public schools.

While these amendments were pending the democratic convention of 1914 met and refused to endorse the amendments or to consider them in any way, and omitted all mention of them from the platform. The republican convention endorsed them but with no particular enthusiasm and the party as a whole was opposed. An attempt to rouse enthusiasm and to carry on a campaign for ratification was made by a small group who were favorable, but the action of the democratic convention had been fatal and all the amendments were defeated, the slaughter of the taxation clause being particularly complete. The legislature of 1915, however, which met immediately afterwards, promptly re-submitted the third, fifth, eighth, and ninth amendments which were ratified in 1916. The discussion of the subject performed an educational service of value. One result was seen in 1917 when the legislature, by overwhelming majorities in each House, submitted the question of a convention to the vote of the people.

The politics of the period since 1900 has been in the main uninteresting. The democrats have been completely and securely in power in branches of the state government and in a large majority of the counties. Within the party there have been exciting contests but the campaigns between the two parties have been rather uninterested as well as uninteresting. The republican party is strong enough in the state to threaten uninterrupted tenure of power, and there is a growing independent element, so democratic control cannot be said to be irresponsible in a party sense, but the threat of defeat is not serious and there have in consequence been tendencies, apparent at times, towards a disregard by a certain element of political leaders of what the masses desired and even demanded, and conservatism has been entirely in control. The primary, adopted in 1915, has had no fair trial, but is likely sometime to become a powerful instrument in the hands of the people.

In 1903 there was a long contest in the democratic caucus of the legislature for the nomination for United States senator between J. S. Carr, Locke Craig, R. B. Glenn, Lee S. Overman, and C. B. Watson, resulting finally in the choice of Overman who was elected. Pritchard retired from the Senate with the friendship and liking of the state, even so stalwart and partisan an opponent as the *News and Observer* paying him a tribute as a broad-minded public servant. His later appointment to the bench was popular with democrats as well as republicans and he has steadily grown in public estimation. In 1912 there was another bitter senatorial contest between Senator Simmons and Governor Kitchin with Chief Justice Clark running far behind. Aycock had announced his candidacy just before his death. The result in the primary was a majority for Simmons over both his opponents of more than twenty thousand. In 1914 Overman was without opposition in his own party and in the first popular election of senator defeated A. A. Whitener by thirty-four thousand votes.

Three of the four gubernatorial contests in the democratic party have been intense. In 1904 there was an excited preconvention campaign between R. B. Glenn, Charles M. Stedman, W. D. Turner, and T. F. Davidson, but with only the first two really having a chance. Glenn was nominated on the fifth ballot and in November carried the state by forty-nine thousand, defeating Charles J. Harris, the republican candidate. In 1908 there was an intense contest between Locke Craig, W. W. Kitchin, and Ashley Horne. The convention which met in Charlotte was deadlocked for almost a week, but Kitchin was finally nominated on the sixty-first ballot and in the election defeated J. Elwood Cox by thirty-eight thousand majority. Locke Craig was nominated without opposition in

1912 and ran against Thomas Settle on the republican ticket and Iredell Meares on the progressive ticket, defeating both with a majority of more than fifty-six thousand. Meares led Settle by more than six thousand. In 1916 Thomas W. Bickett, who had leaped to state-wide reputation by his nominating speech in behalf of Ashley Horne in 1908, and had been nominated for attorney-general when he was not a candidate for the office, defeated Lieutenant-Governor E. B. Daughtridge in the primary by twenty-six thousand. The republicans nominated Frank A. Linney, and a spirited campaign followed in which the two candidates carried on a joint canvass, marked by debate of a high order and fine spirit. Bickett received a majority of forty-seven thousand.

Since 1901 there has been a marked tendency towards long terms for members of Congress. But few republicans have been elected. E. Spencer Blackburn was elected in the eighth district in 1900 and 1904. John M. Morehead in the fifth, and Charles H. Cowles in the eighth were elected in 1908 and served each one term; and James J. Britt was elected in the tenth district in 1914. Of the democratic members in the period, John H. Small has served since 1899; E. W. Pou and Claude Kitchin since 1901; E. Y. Webb since 1903, H. L. Godwin since 1909; and Charles M. Stedman and R. L. Doughton since 1911. During the same time, W. W. Kitchin, who had been elected in 1896, served until his resignation in 1908; Charles R. Thomas from 1899 until his voluntary retirement in 1911; and Robert N. Page from 1903 until his voluntary retirement in 1917. As a consequence, when the democrats came into power in the country in 1913, North Carolinians were in a position of greater influence than ever before. During the period since 1913 Simmons has been chairman of the finance committee and Overman chairman of the rules committee and acting chairman of the judiciary committee in the Senate. In the House Claude Kitchin was first majority leader and since then chairman of the ways and means committee. E. W. Pou is chairman of the rules committee, and E. Y. Webb chairman of the judiciary committee, while Hannibal Godwin and R. L. Doughton hold chairmanships of lesser importance. These, with Josephus Daniels, the Secretary of the Navy, and a number of other important officials, have put the state in a remarkably prominent position.

As yet the republican party has not grown in strength and power as might have been expected with the negro vote eliminated. Three things serve to explain this failure to gain more. One is the fact that the party has never openly accepted and pledged its support to the suffrage amendment, although no one doubts that the great majority of the party rejoice at the exclusion of the negro. In 1906 the party platform demanded an extension of the grandfather clause to 1920, but that was capable of a double interpretation and the rank and file of the people in the state, remembering the negro in politics, demand a more definite pledge. Another cause is a widespread fear that republican success might mean the re-opening of the question of the special tax bonds and possibly their payment. This is highly unlikely but it is nevertheless widely believed with much political effect. The third and most important reason is the leadership of the party.

Since 1872 the control of the republican party has been largely in the hands of Federal office-holders whose quarrels over the spoils have alienated thousands of young men whose political affiliations were still to be formed, not to mention many older men not hostilely inclined towards the political doctrines of the party. Nor has the situation met with approval in the party. Judge Bynum, one of the foremost men in the state in ability and character, after the state convention of 1904, thus expressed himself:

> The time has come in the tide of Republican politics in North Carolina when one of two things must be done: Either the Federal office-holders must own, control and manage the affairs of the party absolutely, as they seem to be doing at this convention, or they must abdicate and allow the party to be managed and its policy shaped by those whose policies and principles are governed by other considerations than office-getting, greed, grab and graft. If the Federal office-holders continue in control, then no self-respecting man can or will be induced to take part in Republican politics in this state. If they are forced to abdicate, as should be done, then there is a future for the party. This may as well be said here and now. The party seems to be drifting without a leader or any one who has the courage to speak above a whisper. Everything is subrogated to the chance of being a delegate or getting an office. The thoughtful, prudent

> people of North Carolina never will and never ought to consent to the management of the affairs of this great state by such an irresponsible cabal as now controls the affairs of the Republican party of this state.

When criticised for this utterance, he replied:

> "The rank and file of the Republican Party in this State constitute a band of Spartan heroes—noble men who have pronounced political principles and convictions in which they believe and on which they act for their own and their country's good. But some of those who would lead them are little more than political cutthroats and pirates. It was said of Washington that he was first in war, first in peace and first in the hearts of his countrymen. It may, with equal truth, be said of these men that they are always at war, never at peace and forever in the pockets of their countrymen."

The same idea was expressed by Mr. Taft in 1906, while Secretary of War, who said in a speech in Greensboro:

> "I do not wish to seem ungracious, but I must be candid. In my judgment the Republican Party in North Carolina would be much stronger as a voting party if all the Federal offices were filled by Democrats. Of course I cannot deny that a wish to fill public office is an honorable aspiration, whether by appointment or by election, but when all hope of choice by the people is abandoned, and everything is given over to influencing a distant appointing power to choose particular men to perform official functions in a community politically hostile to those men, the result is not good for the men or the community. * * * As long, however, as the Republican Party in the Southern States shall represent little save a factional chase for Federal offices in which business men and men of substance in the community have no desire to enter and in the result of which they have no interest, we may expect the present political conditions of the South to continue."

The view of a more recent convert, Marion Butler, who since the disappearance of the populist party has been a republican, is thus pithily expressed:

> They wanted it to grow smaller, they wanted their States to stay Democratic as to their State and local governments, and they wanted to have a small coterie of men calling themselves the Republican Party who would control and dish out the Federal patronage among themselves.
>
> Their constant regret has been that the party was already so large that there was not an office for each Republican. If this condition could have been reached then there would have been perfect harmony for the first time in the Republican Party in certain localities and States in the South, provided they had not quarrelled over the question as to which one was entitled to the biggest office.

> These so-called leaders often made themselves offensive to the best white people so as to make it sure that no decent member of the other party would join the republican party.

So fierce became the contest that in 1906 the following statement was incorporated into the platform:

> *It is therefore now resolved,* That the State Executive Committee of the Republican Party be and is hereby instructed to assemble, and each and every member thereof, in Greensboro, North Carolina, on the first day of September, 1906, and on the first days of March and September in each and every year hereafter, and shall then and there before adjournment consider applications for appointment to all Federal offices in North Carolina, the terms of which shall expire in the next six months, and to recommend to the appointing power in each instance a suitable person for each position, except in such districts as are represented by a Republican Congressman. That no application shall be considered unless the applicant shall state in his application that he will submit to the action and recommendation of the committee without further contest.

In 1912 the party was split into two factions and President Taft in his search for delegates withdrew ten nominations for federal office from the Senate in order to force agreement. A conference was held in Washington in March in which the leaders agreed to support Taft. But the party had no love for him remembering his Greensboro speech and cherishing a bitter grudge against him for the appointment of a democrat, Judge H. G. Connor, to the district judgeship, an appointment, by the way, that has begun to destroy the distrust and even hatred of the Federal courts generally, and with just cause, prevalent in the state since Reconstruction. So when the state convention met, the Roosevelt delegates captured it and passed resolutions which bitterly condemned Taft. The party then divided for the campaign.

These are the things which have militated against a more equal division of parties in the state. The republican party has still, however, a great opportunity and in the course of time may grasp it.

The absence of the negro from politics has had many good results in North Carolina. Not the least of these was thus described by Aycock:

> I declared in my speech of acceptance that with the adoption of the Constitutional Amendment, "We will have peace in the land." "There

will be rest,'' I said, ''from political bitterness and race antagonism. Industry will have a great outburst. We shall have intellectual freedom. Public questions will stand or fall in the court of reason and not of passion. We shall forget the asperities of those years and shall go forward into the twentieth century a united people, striving in zeal and in generous rivalry for the material, intellectual and moral upbuilding of the State. May an era of good feeling among us be the outcome of this contest.''

There are those among us who fear that these predictions have not been fulfilled. These doubters are looking upon the surface of things. They do not look at the great underlying truth. They declare that bitterness is more rife than ever before; that the era of good feeling has not come; that criticism is more severe than ever; that freedom of speech is not permissible. They have mistaken appearance for fact. There is bitterness between individuals. There is strife and enmity between some people. There is, of course, a reckless criticism. Our people had been so long restrained by the necessity of staying united in order to face the danger of negro control of the state, that when they first gained their freedom under the Constitutional Amendment they naturally felt called upon to exhibit their freedom from restraint by frequent and often undue criticism. * * * Speeches and publications which heretofore would have attracted universal approval or universal condemnation, according to the side which they were on, have met with a divided support and a divided criticism. Controversies have grown large about small things. Personalities have frequently taken the place of the discussion of great problems. All of these things have been done in assertion of our new-born freedom. They are ever the first fruits of liberty of speech. They mark the beginning of real liberty, which will hereafter be restrained by judgment. They show that the minds of our people are active; that they are alert even in fault-finding. They can be destructionists, but this is the beginning of the constructive power as well. If we pull down now, we shall build hereafter. If we criticise now, we shall in the future learn that effective criticism is that only which is based on fact, and then only to be indulged in for the correction of evil and for the purpose of turning men toward better things. This bitterness and this strife has not reached the great body of the people. They have gone about their work undisturbed by fault-finding and the asperities of discussion. They have found in industry the best outlet for their superabundance of energy and they are bringing to pass a wonderful day in this state.

CHAPTER XVI

EDUCATIONAL DEVELOPMENT

When the civil war broke out the school system had been firmly established by Calvin H. Wiley. It compared favorably with the systems of the other states and was infinitely better than any other in the Southern states. Already the influence of the schools was beginning to be felt in the state, and one of the most hopeful things in connection with them was the widespread public sentiment in their favor, which was a fact clearly apparent. The state was committed at last to public education, and the promise of the system was very bright when war upset the calculations of every one who had dared to plan for the future.

The war was, of course, a disaster which did irreparable damage not only to the whole existing system of schools, but also to the whole future of public education in North Carolina. It stripped the schools of male teachers and started a process of feminizing education. It led to the release of the counties from the obligation to levy local taxes for school support. It diverted public interest from education. It swept away the major part of the literary fund, which at that time amounted to nearly $2,000,000. And, finally, through its outcome, it left as a legacy to the South the negro problem, which was to prove one of the most persistent and embarrassing obstacles to the re-awakening of public interest in universal education.

Of course, all of these things did not happen at once. Attendance dropped in the first year of the war, and the amount spent on schools was far less; but 65,000 children were in school and more than $100,000 was expended. Wiley, with all his strength, urged the maintenance of the fundamentals of the system, and the press insisted that the schools must be kept in operation, the *Standard* phrasing it, "In the name of the good people, and especially the children of the state, let none of the schools be abandoned," while the *Charlotte Democrat* tersely said: "The children of the state must be taught to read, war or no war." Governor Vance, in his message of November, 1864, said:

> The subject of our common schools is one which I beg you will not forget amid the great concerns of war. * * * I earnestly recommend to your consideration the whole subject. * * * I also suggest that regular teachers be exempted from state military duty whilst engaged in teaching. * * * The common schools should surely be kept going at any cost; and if sufficient inducements cannot be offered to disabled soldiers and educated women to take hold of them, the necessary males should be exempted. * * * Our great system of common schools is, after all, our only true and solid foundation for public education and demands your constant and fostering care.

Thanks to this sort of spirit and the courage and labors of Wiley, the system did not die until the war was over. Wiley's faith never faltered, and he redoubled his efforts, ignoring the fact that his small salary, considering its purchasing power, had practically vanished, firm in his conviction that there would be greater need than ever after the war for the educated man and for the continued education of the youth of the state.

At the beginning of the war he was fearful that the school fund would be used for military purposes, either directly or by investment in doubtful securities. He carried the matter to the governor, stating his fears, and the latter, along with the council of state, entered into an agreement with him to assist in keeping the fund intact. Accordingly when propositions were made in the legislature at its first session to take it for war purposes, executive influence was added to the opposition in the legislature. A rather heated contest followed which terminated favorably to the preservation of the literary fund, and, except in 1863, when $128,000 was borrowed by the state from it, the safety of its securities were not later in doubt. Nor were the securities changed, for, in spite of the pressure to invest in Confederate bonds, the fund remained invested mainly in bank stock which seemed more secure.

But the banks were ruined at the close of the war by the loss of Confederate securities and the repudiation of the state war debt, so the result was much the same. The other investments were more secure and had a par value of about $1,000,000, but the sum finally saved from the wreck amounted to scarcely more than a third of this.

Wiley still gave all his thought to plans for the improvement of the system and secured in December, 1864, the passage of a law providing for graded schools. He was literally a man of one idea, and even in the midst of a devastating war thought only of what had ever been North Carolina's supreme need —the education of all the people. It was only this single-mindedness of his which saved the schools. Their continued existence was little short of a miracle, when one considers the condition of the state. Nothing better indicates the hold which public education had secured upon the minds and hearts of the people than this war record, which Wiley thus briefly described in his last report:

> To the lasting honor of North Carolina her public schools survived the terrible shock of cruel war and state which furnished the greatest number and the bravest troops to the war did more than all the others for the cause of popular education. The common schools lived and discharged their useful mission through all the gloom and trials of the conflict, and when the last gun was fired, and veteran armies once hostile were meeting and embracing in peace upon our soil, the doors were still open and they numbered their pupils by the scores of thousands.

Dr. Joyner aptly adds:

> He did not say, but he might have said with truth, that to the eloquence, the zeal, the vigilance, the courage, the devotion, the wisdom, the tact, the power, the energy and the influence of the great superintendent of her public schools was mainly due the credit of this honorable record.

When the end of the war came with economic and financial prostration, under the pressure of the most absorbing political problems and grave doubts of the future, public attention was turned elsewhere. Provisional Governor Holden, when he appointed provisional state officials, for some reason unknown, unless because of Wiley's opposition to his candidacy for governor in 1864, ignored him and did not appoint a successor. When the convention of 1865 was about to meet Wiley submitted his report, which Holden declined to receive. Wiley asked that it be transmitted to the convention and the governor again refused to recognize him. Wiley protested without avail. He and Worth were great friends, and the latter sought to get the report before the convention.

On October 19 the convention, by ordinance, declared vacant all state offices in existence April 26, 1865, whose incumbents had taken the oath of allegiance to the Confederate States. As it happened, Wiley had never taken the oath, and he, therefore, claimed the office and submitted his report to the legislature in 1866 which received and printed it. But on March 9 a law was passed abolishing the offices of superintendent of common schools and treasurer of the literary fund. The same law allowed the county courts to lay and collect taxes for school support, but it was not likely that this permission would continue the school system. Towards Wiley there was manifested some bitterness of feeling, which undoubtedly to some extent influenced the legislature. But the lack of sufficient funds to carry on the system in any adequate way, the poverty of the people, and the uncertainty prevailing as to the future would of themselves serve to explain the action of the legislature. At the same session the House passed a bill, which the Senate killed, appropriating $70,000 to assist the schools.

At the last meeting of the legislature before the passage of the reconstruction acts a law was passed allowing towns and cities to establish public schools. Another law, passed at the same time, required the county courts to appoint county superintendents and local trustees. These acts indicate that in the minds of the legislators the suspension of the schools was but a temporary matter, and that in time the system would be restored.

One of the chief purposes of the northern settlers in North Carolina, if their words can be taken as evidence, was to establish an effective system of common schools based upon the New England plan. They ignored entirely the system which had already been established and which was temporarily inactive, and made their demand for the creation of schools for all one of the main defenses of the policy of Reconstruction. There is little doubt that much of this sentiment was real, but, obscured by the greed which characterized the activities of the aliens, it did little for the cause of education in the state. From the beginning, their plans were threatened by the hostility which was aroused by the determination of many of them to prevent the separation of the races, their ignorance of the people of North Carolina and of the conditions existent in the state, and the economic and financial prostration which prevented the expenditure of the necessary funds to maintain the system.

When the convention of 1868 assembled there was much interest in its probable action in relation to education. The committee on education was composed of eleven republicans and two conservatives. Seven of the former were carpet-baggers and two were negroes. The section on education reported by the committee made no provision for separate schools for the two races, and twice the convention voted down amendments offered to secure separation. The carpet-baggers were planning mixed schools and the decision of the question was, under the constitution, a matter for each county.

The new constitution provided that the legislature should provide by taxation or otherwise for a general and uniform system of public schools, and it further provided that a four months' school should be maintained in every district. The legislature was given power to compel the attendance of all children for a period of sixteen months. Three-fourths of the poll tax was assigned to the school fund. The superintendent of public instruction was made a constitutional officer and was associated with the other state officers in a board of education which replaced the literary board. The composition of this board put the control of the schools into political hands and it has remained there ever since—not the least of the evils inherited from the carpet-baggers

No action in connection with the schools was taken until the regular session of the legislature in 1868, further than the appointment of committees in each house. The Senate committee consisted of seven republicans, one of them a negro, and the House committee of ten republicans, one a negro, and one conservative.

Governor Holden in his message urged the establishment of a general and uniform system of schools with separation of the races but with no difference in the schools. In January a bill providing for the establishment of a school system was introduced into the Senate and sometime later into the House. In the Senate it was the subject of much debate but was amended very little except that a provision for separate schools was adopted. Finally, in April it became law. Under it, the income from the old literary fund, now the public school fund, was to be apportioned among the counties according to school population. The commissioners of each county were to levy taxes for sites and for building or renting schoolhouses and township school committees were to maintain a sufficient number of schools for at least four months in the year. The duties of the school boards and of the county examiners were defined and a course of study outlined. It was provided that three-fourths of the money received from the poll tax should be spent on the schools and the further sum of one hundred thousand dollars was appropriated by the legislature for their assistance. Could this law have been actually put into operation by an honest and good-intentioned state government the story of public education in North Carolina after the war would have been very different. But the obstacles were almost insuperable. The state and the people were almost bankrupt, the new status of the negro and the general knowledge that the more radical elements of the republican party were seeking to establish mixed schools made the matter of the schools a serious problem, and for the next two years the state was administered by a shamelessly corrupt government. It is easy to see today that there was really no hope in the situation.

The new superintendent of public instruction, Rev. S. S. Ashley, was a carpet-bagger from Massachusetts who was probably himself of mixed blood. He was an earnest fanatic of doubtful honesty who was bent, to the exclusion of other matters, on the establishment of mixed schools. He had some ability but was utterly unable to gain public confidence. He devoted most of his official attention to the preparation of elaborate reports which were notable for their large plans for the future and their small record of things already accomplished.

In November, 1868, he reported the beginnings of organization; in August, 1869, he believed that something would be begun in the following October and that by 1870 many schools would be in operation. He calculated that the school fund would be three hundred thousand dollars and that the Peabody Fund would help the cities and towns. But, as events soon showed, no taxes were forthcoming for the year ending September, 1869, nor did the legislative appropriation of one hundred thousand dollars ever materialize. The poll tax produced very little. For the year ending September, 1870, more than one hundred and thirty-six thousand dollars was collected for schools but only about thirty-nine thousand was spent upon them. Still, according to Ashley's report, by the same time about fourteen hundred schools were in operation with close to fifty thousand pupils, nearly half of whom were colored.

Assisting Ashley in the work of superintendence was J. W. Hood, a negro carpet-bagger, who had been a member of the convention of 1868. Without any warrant of law the board of education had appointed him assistant superintendent of public instruction for the colored schools, and with far more energy and ability than was shown by Ashley, he entered upon the work of organizing schools for the negroes. These schools were the beneficiaries of considerable assistance from numerous societies and religious organizations in the North and also from the Freedmen's Bureau. The latter had begun the establishment of negro schools in 1865 and when its existence was terminated in 1869 it was supporting wholly or in part more than four hundred schools with more than twenty thousand pupils. No figures can be obtained as to the expenditure of the bureau but it could scarcely have been less than two hundred thousand dollars. Both white and colored schools received assistance from the Peabody Fund.

In the attempt to work out the problem of establishing a school system many difficulties appeared. Party strife was rampant and the schools, as has been seen, had been definitely put under political control by the constitution. It thus lost many of the friends it should have made among the class by whose support alone could success be won. Teachers were untrained and incompetent, and, even of this sort, very scarce. Books were difficult to obtain. School officials were uninterested and careless in the majority of cases and there was no public drive behind the schools to make them go. Of course the lack of funds was the greatest weakness. In 1869 the investments of the literary fund which still survived, were sold, part of them with considerable suspicion of fraud, and invested in special tax bonds which were soon worthless, so this source of income had practically disappeared. In 1870 a special tax was levied to pay the special appropriation by the state, but only a small amount was collected. The final financial blow came in 1870 when the Supreme Court held unconstitutional that part of the law of 1869 which provided for local school taxes, because school expenses were not necessary within the meaning of the constitution and because the levy would prevent the preservation of the equation between poll and property taxes required by the constitution. This decision put a heavy handicap on the schools for some years to come.

Leaving the public schools for the time being, let us follow the University through the years of Reconstruction.

During the entire period of the war, the University of North Carolina never closed its doors. Year by year its student body decreased until there remained only a mere handful, all disabled by service or too young to go to the front. With the students went the younger members of the faculty, but the older professors, led by President Swain, continued at their posts, determined that the exercises of the institution, begun in 1795, should not be suspended.

At the close of the war the economic prostration of the state and the financial condition of the institution itself both militated against any rapid return to prosperity. Its debts, not including arrears of salaries, amounted to more than $100,000 while the bulk of its property was invested in bank stock which became worthless with the repudiation of the state debt. In 1866 the legislature helped somewhat by the appropriation of $7,000 and the next year by the transfer of the land scrip granted the state by Congress under the Morrill Act of 1862 for the support of an agricultural college. North Carolina was entitled to 270,000 acres which were sold for 50 cents an acre, $10,000 down and the rest payable when Congress should recognize the state.

The attendance was very small and it became evident that failure was near. Two professors resigned in 1867 and Governor Worth at a special meeting of the trustees urged that some steps be taken to save the institution. President Swain, it was clear, had outgrown his usefulness but was entirely unaware of the fact. Kemp P. Battle in consultation with Dr. Charles Phillips, determined to secure the remodeling of the institution and they secured the resignations of all the faculty including the president. These were presented at the meeting of the trustees and all were asked to hold over until their successors should be chosen which they promised would be done in 1868.

In the meantime, the new constitution had been adopted, and by its provisions the existing board of trustees, which had been elected by the General Assembly, was replaced by one chosen by the board of education, consisting of the state officers, who were ex-officio trustees. In consequence of this the outgoing board at their last meeting re-elected the president and faculty and abandoned the new scheme of reorganization.

The new system of control which went into effect in July, 1868, was purely political and was designed to be so. The governor was chairman of the board of trustees and also of the executive committee, which consisted of the board of education and three trustees chosen by the trustees. This political character was apparent when the new board of trustees was finally elected. The constitution required that they should be selected, one from each county, but this was not followed because of the desire of the board of education to place upon the board of trustees certain prominent republicans, chiefly carpet-baggers. Of the new board, eighteen were alumni, but only five members had previously served on the board. Almost every member was a partisan republican, and the executive committee was dominated by Governor Holden. It was a matter of common knowledge, long before the meeting of the board, that a clean sweep would be made of the old faculty and that a "loyal," that is to say partisan republican, University would be established. The change was received with deep anger and distress by the friends of the old University, who were not slow to express their feelings and to contrast the governor of 1868, bent upon making the University republican, with the editor of the *Standard,* who in 1856, led the hue and cry against Professor Hedrick whose only crime had been a quiet desire to vote for Fremont.

The first meeting of the trustees was held in June. The resignations of Swain and the faculty which had been presented to the old board were accepted and a new executive committee of the trustees was given full power to put into operation a "thorough and efficient organization of the University upon the proper and liberal basis contemplated by the constitution," to elect a president, and resume exercises. The one limitation placed upon them was that no one should be elected to the faculty who had not "an established national reputation as a scholar and educator." The presidency was then offered to L. P. Olds, Holden's son-in-law. He declined and delay followed. Talk was common that the college was to be opened for negroes as well as whites and the carpet-bag members of the board favored it, but it was never voted or even seriously considered by the native white trustees.

In January, 1869, Rev. Solomon Pool was elected president. He had been an adjunct-professor but had left to enter the internal revenue service. He was a man of some ability but unknown even to the state and owed his election to the influence of his brother, John Pool, and to his vehement and outspoken desire that the University should be organized on an entirely partisan basis.

The selection of professors was made on a somewhat similar plan. As professor of mathematics, they chose Alexander McIver, a graduate of the University and a member of the faculty of Davidson College. He was able, active, and entirely honest, but owed his election chiefly to the fact that he had practically been forced from his position at Davidson on account of politics. Fisk P. Brewer, a graduate of Yale and a man of undoubted scholarship was elected professor of Greek. He was at the time at the head of a negro school in Raleigh. He injured himself very much in public estimation by boarding in a negro family for some time after his arrival in Chapel Hill. David S. Patrick, a nephew of Judge Settle, also a graduate of the University, was chosen professor of Latin. He was without qualifications or reputation. James M. Martling, of Missouri, a brother-in-law of Ashley, was elected professor of belles-lettres. He also lacked reputation or any other qualifications. George Dixon, an Englishman, was made professor of agriculture. What influence led to his appointment cannot be discovered.

The University was of course doomed under this organization. It opened for students in March, 1869, and a small number appeared, all from republican families or from the village of Chapel Hill. The attendance during the first year was thirty-five, twenty-five of whom were in the preparatory department. The second year the number rose to fifty-three, twenty of whom were preparatory pupils. By now it was evident that the institution would have to close since there was no money. President Pool took up his work as a revenue officer for which he was far better adapted, and the faculty began to leave. To his government position Pool gave all his time and, when urged by a close friend in Chapel Hill to resign the presidency, replied, "I would not resign for $50,000."

In 1870 the end came and all the students having disappeared, the president and three professors still held on. Finally at a faculty meeting in 1871, Pool being absent, McIver introduced a resolution declaring that no member of the faculty wanted to stand in the way of a revival and it was clear that they did not have the confidence of the public. Patrick voted with him and Brewer opposed the resolution. Martling was in Raleigh working with Ashley on the *Standard*. Soon afterwards McIver succeeded Ashley as superintendent of public instruction and began to advocate the complete reorganization of the University. By this time both Martling and

Brewer were gone. The state educational conference in 1873 adopted resolutions demanding the reorganization of the institution free from political or sectarian control or interference.

During the session of the legislature in the spring of 1872, after that body had shown itself favorably inclined towards the public schools, the question of the University was brought to the personal attention of the members. There was a strong disposition to revive it upon a non-partisan basis, but the chief difficulty was the attitude of Solomon Pool, who did not wish to surrender the title of president. The trustees adopted a resolution asking the assistance of the alumni and, in response, fifty-five of them met in Raleigh and expressed their entire willingness to aid if the institution was taken out of politics. A quorum of the trustees conferred upon the matter and instructed McIver to send to each member of the board an account of what had been done and to request them to resign. At first there was a very favorable response and resignations came in rapidly. Then the Pool influence was brought to bear upon the threatening situation. John Pool wrote McIver that he disapproved of the whole plan and sent out a circular letter to the trustees, urging them in behalf of the republican party not to resign and, if they had already done so, to recall their letters. In consequence of these facts, the plan for revival slumbered until the legislature of 1872-1873 met and adopted the amendment to the constitution proposed by the preceding legislature, by which the appointment of trustees was placed in the hands of the legislature. This was ratified by the people in 1873 and a new board of trustees was chosen, which met in February, 1874, and organized with William A. Graham as chairman and Kemp P. Battle as secretary and treasurer. Governor Caldwell denied the validity of the constitutional amendment and refused to attend and warned McIver not to turn over the seal and records. A friendly suit was decided in favor of the new trustees. The legislature of 1875 agreed to pay the interest on the land scrip fund which had been invested in special tax bonds and the way was open for reorganization. The trustees met in the spring of 1875, and, having adopted a plan of reorganization, elected a faculty, three of whom had served in the former one. Dr. Charles Phillips was elected chairman, and the doors of the institution were opened in the autumn with much ceremony. The next year, Kemp P. Battle was chosen president and the University began slowly to climb back to health and strength that it might enter with its full powers upon a career of greater usefulness, free from any taint of politics, in the service of all the people.

When the conservative legislature of 1870 met it cut Ashley's salary, took away his clerks, and allowed nothing for traveling expenses. Nothing more in relation to the schools was done at this session and when the next session came Ashley had resigned to seek a more congenial atmosphere in a negro school in New Orleans, and Governor Caldwell had appointed Alexander McIver to the position. Unquestionably this helped the school system. McIver was both honest and earnest and deeply desirous of furthering the cause of public education. At this session the law of 1869 was repealed and a new and better one passed which made more liberal provision for support and also provided for some training of teachers. Special poll and property taxes were provided for and the counties were also authorized to levy special taxes. Its chief defect was its failure to recognize the district as the fundamental unit of the whole system.

McIver was defeated for the republican nomination for superintendent in 1872 by a bit of political jobbery and James Reid, an old, retired minister of extremely radical tendencies, was nominated and elected over Nereus Mendenhall, an excellent man who ran on the conservative ticket. Before he took office Reid died and Governor Caldwell, ignoring McIver, appointed Kemp P. Battle. McIver refused to yield and was sustained by the Supreme Court in his contention that no vacancy had occurred, and thus held over until the next election.

During these years the outlook began to brighten. The school fund was much larger, more teachers were examined, and a number of teachers' institutes were held through a special appropriation for the purpose and the aid of the Peabody Fund. And yet but little had been accomplished. While

Typical Rural High School of Today

A Typical Country School Prior to the Educational Revival

The Type of School Which Has Largely Replaced It the principle of support of schools by public taxation had been adopted, the necessary machinery had not been created. Local taxation was a failure, the school funds were constantly raided by unscrupulous officials and used for other purposes, and the people were indifferent, no public sentiment being created behind the schools. Nor was indifference the worst obstacle. The fear of mixed schools was widespread and, seriously complicating the whole situation, was destined to continue as long as the constitution was silent on the subject. The agitation over the civil rights bill greatly increased this feeling. McIver, when asked what would be the effect upon the schools of the passage of the bill, said frankly that if the people were compelled to choose between mixed schools and no schools they would prefer the latter. As a result of the agitation the building of schoolhouses stopped, teachers sought new occupations, and a bill for the establishment of city school systems was dropped. And yet for the year ending with June, 1873, more than $400,000 was spent on the schools and more than 100,000 children were enrolled, 70,000 of them white. The session, however, was only about ten weeks in length.

In the summer of 1873 an educational conference was held in Raleigh which was attended by men of both political parties and of all the leading religious denominations. The question was discussed fully, addresses were made by prominent leaders, and strong resolutions were adopted including the following:

> That the general educational interests of this State are deplorable and alarming in a high degree, and are such as to require the noblest and most self-sacrificing efforts of every true son of North Carolina to relieve her from such serious embarrassment.
>
> That this convention respectfully but earnestly request and urge every friend of the State, the people, and particularly the clergy, all public speakers and the press, to be zealous and constant in making efforts to arouse the whole people to a realizing sense of the paramount importance of education, and especially of common schools, to the rising and coming generations, and of the overruling necessity for universal, active and cordial co-operation of all, to avoid the blight and the disgrace of ignorance.

A permanent organization was formed, and a second convention the following year planned an educational campaign and resolved to put pressure on the legislature. The succeeding year saw nearly 200,000 children enrolled and an expenditure of almost half a million dollars, but all efforts to increase the length of the term failed.

McIver had proved himself efficient and should have been retained as superintendent. Here the conservatives had a fine opportunity to take the office permanently out of politics. As it was he was not even nominated by the republicans, who selected as their candidate Thomas R. Purnell. The democrats nominated Stephen D. Pool. Neither was in any way qualified for the position. Pool was elected and within eighteen months had used money from the Peabody Fund to purchase a residence for himself. His infuriated party, which had made official corruption the chief count in its indictment of the republican party, forced him to resign and Governor Brogden appointed John Pool to fill the position although he too was merely a discredited politician without a trace of qualification for the position.

In 1875 the constitutional convention inserted a provision specifically requiring separate schools and the way was thus cleared for improvement of the system. The sweeping democratic victory in 1876, which completed the redemption of the state, should have brought this improvement. It had undoubtedly some beneficial effects upon the schools but it is unquestionable that following it came, if not a slowing down, at least a failure of any new impetus which in effect was a reaction. This was part of a general reaction against the extravagance of Reconstruction but it was more due to popular indifference to the subject and the widespread economic depression. A growing number argued that education was not the function of the state and that it was impossible to hope for universal education even if it were desirable. The injustice of taxation of those able to educate their own children to educate the children of those who had no property and paid no taxes was frequently urged and there was a widespread feeling that it was too much to ask that the negroes be educated at white expense. Thoughtful men did not employ these arguments. They were agreed that education was necessary and that in a free public school system lay the remedy for the blighting curse of illiteracy and ignorance which lay upon the state. But the mass of men are unthoughtful, the ratio increasing in proportion to the amount of illiteracy, and in North Carolina the need of thoughtful men was acute. It was true that the schools still advanced, with increasing attendance, with growing popular interest in them, and with improved methods. The governors, one by one, urged the question of public education upon the attention of the legislature, but there was lacking the driving force that could carry the gospel where alone it could effect its saving purpose—into the homes and hearts of North Carolinians—and make it a real force, not merely to the thoughtful group, but to all classes, which would make men think, and, thinking, forget the narrowing and confining bonds set by poverty, and the demands of a new and crass industrialism, and, looking alone to the future of their children and the commonwealth, with intention usher in a new period of state history. Possibly the time was not ripe; certainly the leader was not there.

The legislature of 1877, urged by Governor Brogden and Governor Vance, passed a law giving authority to the townships to levy taxes for the support of graded schools, provided the tax was approved by a majority of the qualified voters at a regular called election. The legislature also provided a normal school for each race and paved the way for city school systems. Under the authority of the former law the first summer school in the United States was opened at the university in the summer and continued with growing attendance and increasing usefulness until 1881, when the legislature, yielding to sectional demands, established four others, and so divided the available funds that none were strong.

The colored normal school at Fayetteville ran for eight months of the year and was successful from the beginning. In 1881 four others were established.

Public opinion condemned the obvious defects of the state's educational system and such demand as there was for improvement found expression in Governor Jarvis, ever the sincere and earnest friend of education, who urged the raising and expending of more money. The school tax was raised but not sufficiently to support the schools for four months. In 1883 he renewed his plea to the legislature and throughout his term he constantly called the attention of the people to the subject.

In 1881 the office of county superintendent was established, a distinct advance, although the incumbents were given so small a financial return that no man could give more than a small part of his time to the duties of the office, and so it failed in most instances to attract strong men. Yet much good was done in the way of centralizing school administration. The same law made provision for county institutes and many were held. County certification of teachers also began.

The establishment of city graded schools was commenced by Greensboro in 1875, followed by Raleigh in 1877, Salisbury in 1880; Goldsboro in 1881; Durham, Charlotte, and Wilmington in 1882; and Winston in 1885. By 1891 sixteen towns were maintaining local systems.

In the midst of this period of real though slow growth, the decisions of the Supreme Court presented a serious obstacle to progress. An act of 1885 authorized the county commissioners to exceed the constitutional limit of taxation for the benefit of schools. But the court held the act invalid as not coming within the provisions of the constitution which authorized a special tax for a special purpose with the approval of the legislature. Two other decisions of the court held unconstitutional a special tax on property of white owners only, levied to pay for white schools and the division of the poll taxes between the two races according to its source.

In 1889 the legislature abolished the absurdly numerous normal schools which had through division of funds and energy lost all significance, and in their place appointed Charles D. McIver and Edwin A. Alderman as state institute conductors to canvass the state, hold educational meetings, conduct institutes, and awaken public interest. The two years which followed were probably in the long run the most fruitful ones in North Carolina educational history. These two superbly gifted men constituted themselves educational evangelists and conducted a state-wide revival which made converts by the thousand. Everywhere they preached the gospel of universal education by the state and aroused an interest and enthusiasm hitherto confined to politics alone and usually to national politics. To their work has been given the full credit for the unequivocal position on the matter of education assumed by the Farmers' Alliance, which was just now assuming a dominating position in state politics. This is scarcely accurate since the Alliance all over the South demanded educational reform, but their work furnished beyond doubt a real stimulation of the demand which was soon to rise for an improvement in public education. The more obvious results of the campaign were the establishment of the Normal and Industrial College for white women, of which McIver became president and Alderman a professor, and the establishment of the Agricultural and Mechanical (later the Agricultural and Technical) College for Negroes. (The fundamental result was the preparation of the soil and the sowing of the seed from which Charles B. Aycock was to reap so rich a harvest.)

The fusion victory in 1894 caused no change of importance in the school system, but when in 1897 the entire state government passed into the hands of the fusionists, changes began. The new superintendent was Charles H. Mebane, an earnest and enthusiastic teacher under whom the office became a new educational agency. He was a live wire. He ignored precedents and refused to recognize difficulties. He tirelessly sought to attract public attention to the cause of public education and succeeded in employing the newspapers very effectively in behalf of the schools. Politics entered not at all into his calculations when educational matters were at stake, and in a period of intense partisanship he very effectively divorced the schools from politics.

The legislature of 1897 passed a new and very advanced school law. It was premature, however, and hence ineffective. It sought to make local taxation the basis of public school support, and ordered an election on the question to be held in every district. In those which should fail to vote the tax the question was to be resubmitted every two years until it was passed. Every district was to receive from the state

Charles D. McIver

Edward K. Graham

C. B. Aycock

Recent Educational Leaders

for three years a sum equal to the amount collected from the special tax, not to exceed $500. But only eleven districts voted the tax. Sixty-six more raised a fund by subscription which was duplicated by the state.

The democrats, upon carrying the state in 1898, decided upon disfranchisement of the negro and, to avoid ultimate disfranchisement of a large number of white men, were forced to accept a new policy of public education and to pledge educational opportunity to every one. The legislature of 1899 repealed the fusion school law but appropriated $100,000 to be apportioned among the counties on the basis of school population. The amendment was submitted and when 1900 came and Aycock was nominated for governor the dominant party committed itself in a new and real way to the aggressive and permanent policy of universal education. Aycock, upon his inauguration, pledged himself to the four years of service which were to give him the title of the "Educational Governor" of North Carolina and to make him one of the best loved as well as one of the greatest men in the history of the state. Said he, in his inaugural:

> On a hundred platforms, to half the voters of the State, in the late campaign, I pledged the State, its strength, its heart, its wealth, to universal education. I promised the illiterate poor man bound to a life of toil and struggle and poverty, that life should be brighter for his boy and girl than it had been for him and the partner of his sorrows and joys. I pledged the wealth of the State to the education of his children. Men of wealth, representatives of great corporations, applauded eagerly my declaration. I then realized that the strong desire which dominated me for the uplifting of the whole people moved not only my heart, but was likewise the hope and aspiration of those upon whom Fortune had smiled. * * * We are prospering as never before—our wealth increases, our industries multiply, our commerce extends, and among the owners of this wealth, this multiplying industry, this extending commerce, I have found no man who is unwilling to make the State stronger and better by liberal aid to the cause of education. Gentlemen of the Legislature, you will not have aught to fear when you make ample provision for the education of the whole people. * * * For my part I declare to you that it shall be my constant aim and effort, during the four years that I shall endeavor to serve the people of this State, to redeem this most solemn of all our pledges.

His administration, in accordance with this promise, was one long determined campaign for education which was highly organized and most effective.

Apart from the awakened interest of the people there was but a small foundation to build upon. The situation has been well described by Dr. Edgar W. Knight:

> Only thirty districts in the State, all urban, considered education of sufficient importance to levy a local tax for the support of schools. The average salary paid to county superintendents annually was less than one dollar a day, to public school teachers, $91.25 for the term. This meant, of course, that the office of county superintendent was either a ''political job,'' usually given to some struggling young attorney for local party service, or a public charity used to help support the growing family of some needy but deserving preacher; and, further, that there were no professional teachers in the public schools. Practically no interest was manifested in the building or equipment of schoolhouses. The children of more than 950 public school districts were altogether without schoolhouses, while those in 1,132 districts sat on rough pine boards in log houses chinked with clay. Perhaps under all these circumstances it was well enough that the schools were kept open only seventy-three days in the year, and that less than one-third of the children of school age attended them. * * * To complicate a situation already sufficiently difficult, the race issue injected its poison into the very vitals of the problem.

General Thomas F. Toon, who had been elected superintendent in 1900, died a year after taking office and was succeeded by James Y. Joyner, then a professor in the Normal and Industrial College, who entered upon his duties with keen interest, high ability, and a vast enthusiasm. He has held the office ever since and to him is due much of the credit for the state's educational progress in that time. When the legislature of 1901 met, the special appropriation was doubled, and in 1909 it was again raised.

The progress in a decade is shown in the following summary of the department.

> The annual expenditures for elementary rural schools was increased from $1,018,157.34 to $2,126,695.50, more than doubled.
>
> The average term of the rural white schools was increased from 76 to 93 days, nearly one school month.
>
> The value of rural schoolhouses and grounds was increased from $1,146,000 to $3,094,416, nearly trebled.
>
> Three thousand four hundred and fifty-six new schoolhouses were

built after 1902, more than one a day for every day in every year.

Expenditures for salaries of white rural school teachers were increased from $621,927.97 to $1,126,059.83, nearly doubled.

The average monthly salary of white rural teachers was increased from $25.39 to $34.47, and the average annual salary from $98.77 to $159.79, an increase of more than 60 per cent in the annual salary.

The enrollment in the white schools was increased from 293,868 to 360,121, an increase of 22 per cent. The total white school population of the state had increased less than 11 per cent.

The average daily attendance in the white schools was increased from 166,500 to 235,872, an increase of more than 41 per cent.

The number of rural white school teachers was increased from 5,570 to 7,047, an increase of 1,477.

The expenditures for salaries of county superintendents were increased from $23,596.85 to $78,071.75; the average annual salary of the county superintendent was increased from $243.27 to $796.65.

The number of special local tax districts was increased from 18 to 1,167. In 1910 about $300,000 was raised by local taxation for the rural schools. Nearly $900,000 was raised by local taxation for the rural and city schools.

After 1905 the number of rural schools having more than one teacher was increased from 851 to 1,355.

The number of rural libraries was increased from 472 to 2,772. In addition, 914 supplementary libraries were established. These libraries contain 265,752 volumes of well-selected books, costing $96,870.

After 1907, when the rural high school law was passed, 202 rural public high schools were established in 93 counties, in which were enrolled in 1911 nearly 7,000 country boys and girls.

Since 1910 the advance has continued. In 1916 the rural school fund was $4,573,931 and the urban fund $2,698,956. The rural school property was valued at $6,135,060; the urban at $5,354,821. More than 22 per cent of the entire fund was raised by local taxation. There were 8,088 schoolhouses with a rapidly increasing average value. Over two-thirds have been built or rebuilt since 1901. Compulsory attendance began in 1914. One of the most notable and important developments is to be seen in the rise of the public high schools. In 1916 there were 212, exclusive of the city high schools, in ninety-six of the 100 counties with an enrollment of 10,379. Farm life schools are increasing and promise much assistance in settling the rural problems of the state.

The following table gives a comparison of certain significant facts in relation to school growth:

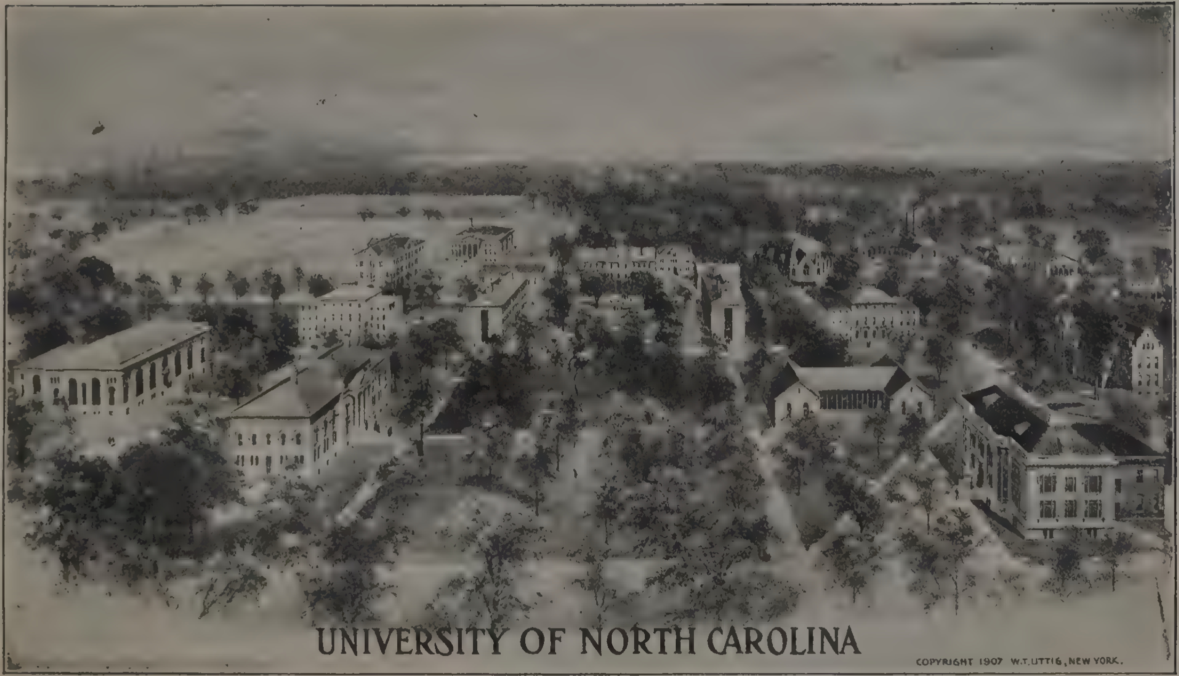
	1870	1901	1916
Schools	1,800	7,314	8,088
Teachers	1,590	8,663	14,550
Pupils	41,912	428,560	649,246
Expenditure	$42,856	$1,248,157	$6,561,646
Value Property		1,146,000	11,489,881
Local Tax Districts	0	18	1,834
Length of Term in Days		86	124

For the training of teachers the state has a number of agencies. The Normal College and the East Carolina Training School are the largest normal schools for white teachers. The Cullowhee Normal School receives state aid and the Appalachian Training School was established by the state in 1903 to serve the counties of Alleghany, Ashe, Watauga, Mitchell, Yancey, Caldwell and Wilkes. The University and several colleges of the state through departments of education and through summer schools have also greatly assisted in this task. For negroes there are three normal schools besides the Agricultural and Technical College at Greensboro. There is also a normal school for Croatan Indians.

In the period following its reopening, the new University had many difficulties to meet and a long hard road was before it. The most outstanding one was lack of funds. Founded by and under the complete control of the state, the state, nevertheless, had done little for it beyond giving it the escheats, the military land warrants in Tennessee, and the land scrip fund. In 1881 the first annual appropriation for maintenance—$5,000—was made, which in the face of bitter denominational opposition was increased to $20,000 in 1885. In 1887 the land scrip fund was lost, but the annual appropriation by the state was increased at intervals, reaching $25,000 in 1897, $45,000 in 1905, $70,000 in 1907, $115,000 in 1915, and $165,000 in 1917. Occasional appropriations for repairs and improvements were made and in 1905 the legislature gave the money for a chemical laboratory which was the first building erected by the state. Since that time money for a number of buildings and other permanent improvements has been appropriated, and the legislature of 1917 made an annual appropriation of $100,000 for permanent improvements. Students came slowly but the nineties saw a great increase which has continued.

Opposition to the University was present in the legislature which chartered it, one member entering a protest against the creation of an aristocracy of education, and opposition has appeared from time to time ever since. Some feeling was manifested in the years following the reopening by certain people who professed to see in it an institution supported by the state for the sons of rich men, a charge utterly without foundation. But the chief enemies have been those who opposed it as being in competition with the denominational colleges. The fight on the University has been long and bitter, amounting at times in fact if not in form to a demand that the University be closed for the benefit of the denominational colleges. At no time has the University opposed the denominational colleges, maintaining with much truth that there was more educational work to be done in the state than the University and all the colleges were doing, and that the growth of the former was a distinct benefit to every other institution of learning within the borders of North Carolina. In spite of the fight against it, in spite of its meagre support, smaller than that of almost any state university, it has risen to the front rank of the southern universities, and has steadily rendered, as means were given it, greater service to the state in every line of activity and endeavor. Its presidents since the reopening have been Kemp P. Battle, 1876-1891; George T. Winston, 1891-1896; Edwin A. Alderman, 1896-1900; Francis P. Venable, 1900-1914; Edward K. Graham, 1914-1918.

In the period since Reconstruction the state has broadened the scope of its activities in higher education. The College of Agriculture and Mechanic Arts was established at Raleigh and has grown steadily, widening its influence and making a place in state service. Generous appropriations from the state and federal governments have enabled it to grow with great rapidity. Its presidents have been Alexander Q. Holladay, 1887-1900; George T. Winston, 1889-1908; D. H. Hill, 1908-1916; Wallace C. Riddick, 1916—. In 1916


UNIVERSITY OF NORTH CAROLINA
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Campus of the University of North Carolina, Chapel Hill, in 1907 there were sixty-one members of the faculty and more than 700 students. The buildings had increased to twelve.

In 1891 the Legislature established the Normal and Industrial School, which soon after became the Normal and Industrial College, for the training of the girls of the state. Under the guidance of Charles D. McIver, in reality its founder, who was filled with a passion for universal education, its value and importance was immediately apparent. It too has grown rapidly and its influence upon public education has been incalculable. Not less has been its influence upon the women of the state personally. Dr. McIver died in 1906 and was succeeded as president by Julius I. Foust.

In the denominational colleges there is the same story of growth. Three denominational colleges, Wake Forest, Davidson, and Trinity, were in existence in 1860 and two, Guilford and Elon, have come into existence since the Civil war.

Wake Forest, owned and controlled by the Baptist Church, came out of the war with only a small enrolment. Its endowment which had been $40,000 in 1860 had been reduced to less than $11,000 in 1865. Dr. W. M. Wingate, the president, was a minister of great power and eloquence who had the full confidence of his church. He was succeeded in 1878 by Rev. Thomas H. Pritchard, who, however, soon returned to the pulpit. For a time there was no president, the conduct of the college being under Dr. W. B. Royall as chairman of the faculty. In 1884 Dr. Charles E. Taylor became president. He had just successfully raised an endowment of $100,000 and during his administration there was a great development. When he came to the presidency there were seven professors, 150 students, and three buildings. When he retired in 1905 there were seventeen professors, more than 300 students and seven buildings, and an endowment of more than $300,000. His constructive ability had largely remade the institution. He was succeeded by Dr. W. L. Poteat, under whose administration the progress of the college has been uninterrupted. There were in 1916 a faculty of twenty-three, and a student body of more than 500. The buildings had increased to eight and the endowment was more than $500,000.

Davidson College, the property of the Presbyterian

Church, like the other colleges in the state, was desperately hurt by the war. Fewer students had been lost because they were younger, but the endowment of $260,000 of 1860 had been reduced to one-fourth of that amount. The presidents have been Rev. L. Kirkpatrick, 1861-1866; Rev. G. W. McPhail, 1866-1871; John R. Blake, chairman of the faculty, 1871-1877; Rev. A. D. Hepburn, 1877-1885; Rev. Luther McKinnon, 1885-1888; Rev. John B. Shearer, 1888-1901; Henry Louis Smith, 1901-1912; William J. Martin, 1912—. The recovery of the college began about 1871, and commencing during Dr. Shearer's administration, there was a notable advance. In 1916 there were nineteen in the faculty and nearly two hundred students. The endowment and equipment together amounted to nearly $700,000.

Trinity College, the property of the North Carolina Conference of the Methodist Church, was growing rapidly at the opening of the civil war. But war largely decreased the attendance, President Craven resigned in 1863, being succeeded by W. T. Gannaway, and exercises were finally suspended in April, 1865. In the same year Dr. Craven was re-elected and the doors of the institution were opened in 1866 to a mere handful of students. The college lived only through Craven, who gave himself unstintedly to its preservation and upbuilding. Under his administration it grew slowly and its student body increased. He died in 1882 and W. H. Pegram became chairman of the faculty until 1883 when Rev. M. L. Wood was chosen. Upon his resignation in 1884, John F. Heitman became chairman of the faculty, serving for three years. In 1887 John F. Crowell, a forward looking and progressive man was called to the presidency. His administration lasted until 1894 in which time he showed himself to be courageous in speech and action, a keen student of public affairs, especially in the state, an excellent administrator and an educator of high ideals. He saw clearly that the college was in too remote a place for great success and urged its removal. He carried his point and after some discussion it was finally decided to move it to Raleigh. Just at this time Washington Duke offered to give the college $85,000 if it was brought to Durham, and Julian S. Carr donated the site. These offers were accepted and in 1892 the move was accomplished. It was a fortunate thing since it led through greater contact to greater opportunity for growth and service.

Upon President Crowell's resignation in 1894 as president, Rev. John C. Kilgo was elected and served until 1910. When he took charge the college had a faculty of nine men, 153 students and a plant worth $135,000. He won for the college the closer friendship and interest of the Dukes, father and sons, who together bore the financial burden of the college for twenty-five years. Their gifts were generous. Before his death Washington Duke gave the college nearly $500,000 and the two sons together have given more than a million and a quarter.

During Dr. Kilgo's administration there was a steady growth in students and faculty. He resigned in 1910 and was succeeded by Dr. William P. Few, the present head of the college. In 1916 there were thirty members of the faculty, nearly six hundred students and nine buildings. The endowment was almost a million and a half dollars.

In 1888 the school at New Garden belonging to the Society of Friends was chartered as Guilford College. It has established in the years which have intervened a reputation for good sound training and high ideals. In 1916 it had a faculty of fourteen, 127 students, and eight buildings and a plant and endowment of about $500,000. Its presidents have been: Lewis L. Hobbs, 1888-1915; Thomas Newlin, 1915-1917; Raymond Binford, 1918—.

Elon College was founded by the Christian Church in 1889 and opened in 1890. Its presidents have been Rev. W. S. Long, Rev. W. W. Staley, E. L. Moffitt, and W. A. Harper. In 1916 it had a faculty of eighteen, four hundred students, and seven buildings.

In addition to the institutions described there are numerous junior colleges in the state owned by religious denominations as well as a great number of church and private schools which have played no small part in the life of the state and the education of its people.

CHAPTER XVII

AGRICULTURE AND INDUSTRY

The Returns of Industry

	1880	1890	1900	1910	1915
Factories	$20,095,000	$40,375,000	$94,920,000	$216,656,000	$289,412,000
Farms	51,730,000	50,071,000	89,310,000	180,766,208	278,000,000
Forests	4,455,000	12,675,000	24,771,000	42,436,000	35,000,000
Mines	576,000	837,000	1,459,000	1,358,617	3,583,000

In the table which heads this chapter is shown the outline of agricultural and industrial development in North Carolina during the period since 1880. Viewing these figures one sees simply the story of progress with little else included. There has been of course tremendous progress but the story is not complete in statistics alone.

Of primary importance still in the state is the cultivation of the soil. To understand properly the situation it is well to review briefly the geographical character of the state.

"North Carolina, with its infinite variety of climate, soil, natural resources and acquired advantages, has an area of 52,426 square miles, of which water covers 3,686 miles. It lies between 34 degrees and 36½ degrees north latitude, and between 75½ degrees and 84¼ degrees longitude west from Greenwich. Its greatest length is from northeast to southwest, a stretch so long that a circle drawn with it as the radius and the northwest corner of the State as the pivot would take in Buffalo, N. Y.; the whole State of Pennsylvania, Ohio, Indiana and a large part of Illinois in its sweep. Its reach north and south is from the southern end of Virginia to about the middle of South Carolina; from east to west it extends from the Atlantic Ocean at the farthest southeastern point of the country to a point considerably west of the eastern extension of Tennessee. Its topographic variety, from sea level on the east to an altitude of nearly 7,000 feet on some of the mountain tops at the west, gives it a climatic variety not possessed by many States, ranging from semi-tropical on the islands off the coast to the temperature of Northern Canada on the tops of its high mountains.

"North Carolina has three distinct divisions—Mountain, Piedmont and Coastal Plain. The first stretches along the western border, touching on Tennessee from Virginia to Georgia, taking in a number of counties, in some of which the Appalachian mountains reach their greatest altitude in the peaks of the Blue Ridge and the Great Smoky Mountains. The Mountain district is about 100 miles wide and has an area of about 6,000 square miles. The Piedmont plateau, joining the Mountain section on the east, covers about one-third the area of the State. It is divided into the Upper and Lower Piedmont, the former having an elevation of from 1,000 to 2,000 feet below that of the adjoining Mountain region. In the Lower Piedmont the elevation gradually declines until the level of the Coastal Plain is approximated. The surface is generally rolling. The eastern division is the Coastal Plain, which reaches from the edge of the Lower Piedmont to the Atlantic Ocean. It is for the most part a level country, though slightly rolling toward its western limits."

The soils are as varied as the climate, running from the sand of the coast and the rocky covering of the mountain tops through clays, loams, and alluvia to the rich black muck of the East. The products, too, are as varied as soil and climate, ranging from north temperate to semi-tropical. The total acreage is 31,193,600, of which in 1910, 22,380,000, or 71 per cent of the whole, were uncultivated. More than two million acres, however, have been brought under cultivation since the Civil war. Since 1860 the number of farms has rapidly increased with a natural decrease in size. The following tables are illustrative:

Farms

Census Year	Population	Number	Per Cent of Increase
1910	2,206,287	253,725	12.9
1900	1,893,810	224,637	25.9
1890	1,617,949	178,359	13.2
1880	1,399,750	157,609	68.4
1870	1,071,361	93,565	24.4
1860	992,622	75,203	32.0

Farm Property

Census Year	Total Value	Per Cent Increase *	Land and Buildings Value	Land and Buildings Per Cent Increase *
1910	$537,716,210	130.0	$456,624,607	134.6
1900	233,834,693	7.9	194,655,920	5.8
1890	216,707,500	31.9	183,977,010	35.5
1880	164,286,737	96.9	135,793,602	117.0
1870†	83,429,729	— 53.7	62,568,866	— 56.3
1860	180,305,812	101.4	143,301,065	111.1

Census Year	Implements and Machinery Value	Implements and Machinery Per Cent Increase *	Domestic Animals, Poultry, Bees Value	Domestic Animals, Poultry, Bees Per Cent Increase *
1910	$18,441,619	103.3	$62,649,984	108.1
1900	9,072,600	26.3	30,106,173	17.8
1890	7,183,210	18.2	25,547,280	14.0
1880	6,078,476	86.1	22,414,659	27.4
1870†	3,265,689	— 44.4	17,595,174	— 43.5
1860	5,873,942	49.4	31,130,805	75.7

* A minus sign (—) denotes decrease.

† Computed gold values, being 80 per cent of the currency values reported.

Average Value per Farm *

Census Year	Average Acres Per Farm	All Farm Property	Land and Buildings	Implements and Machinery	Domestic Animals, Poultry and Bees	Average Value of Land and Buildings Per Acre
1910	88.4	$2,119	$1,800	$73	$247	$20.35
1900	101.3	1,041	867	40	134	8.56
1890	127.0	1,215	1,031	40	143	8.12
1880	141.9	1,042	862	39	142	6.07
1870†	212.0	892	669	35	188	3.15
1860	316.0	2,398	1,906	78	414	6.03

* Averages are based on "all farms" in state.

† Computed gold values, being 80 per cent of the currency values reported.

Tenure	1910	1900	1890	1880
Number of all farms	253,725	224,637	178,359	157,609
Farms operated by owners and managers	146,438	131,629	117,469	104,887
Farms consisting of owned land only	121,382	115,118	(1)	(1)
Farms consisting of owned land and hired land	23,938	15,454	(1)	(1)
Farms operated by managers	1,118	1,057	(1)	(1)
Farms operated by tenants	107,287	93,008	60,890	52,722
Share tenants	80,215	73,092	50,318	44,078
Share-cash tenants (2)	2,033			
Cash tenants	20,708	19,916	10,572	8,644
Tenure not specified (3)	4,331			
Per cent of farms operated by owners and managers	57.7	58.6	65.9	66.5
Tenants	42.3	41.4	34.1	33.5
Share and share-cash	32.4	32.5	28.2	28.0
Cash and non-specified	9.9	8.9	5.9	5.5

(1) Not reported separately.

(2) Share-cash tenants were doubtless largely included with share tenants in 1900, 1890, and 1880.

(3) Prior to 1910 non-specified tenants were included with cash tenants.

It will be noted that while the number of farm operators increased 61 per cent in the period from 1880 to 1910, the number of tenants increased 103½ per cent.

In 1890 more than 95 per cent of the owned farms were free from mortgage, in 1900 more than 84 per cent and more than 81 per cent in 1910. The number of mortgages and the amount of the mortgage debt increased largely in the same period but the average debt has decreased more than 20 per cent. The value of the land has also risen so that while in 1890 the mortgage indebtedness was more than 45 per cent of the value of the mortgaged farms, it had dropped by 1910 to a little more than 23 per cent.

Of the North Carolina farmers in 1910, 188,069, or about three-fourths, were white; 64,456 were negroes; and about eleven hundred, Indians and Chinese.

In spite of natural advantages it is only in the period since 1865 that North Carolina farmers in any considerable number have begun to improve their methods along the lines of scientific agriculture and among a large proportion agricultural methods and ideas are still archaic. The demonstration and extension work is of course making great changes in the recent years. In 1915 the Agricultural and Mechanical College distributed for this work $190,515, more than was spent for the purpose in any other state except Indiana, New York, Iowa, and Texas.

The relative position of the staple agricultural products in 1909 and 1915 shows several interesting changes.

1909		1915	
Cotton	Wheat	Corn	Potatoes
Corn	Sweet Potatoes	Cotton	Hay and Forage
Tobacco	Potatoes	Tobacco	Peanuts
Peanuts	Oats	Wheat	Oats
Hay and Forage	Peas	Sweet Potatoes	Peas

The fluctuations in acreage over a considerable period are also best seen in tabulated form.

ACRES HARVESTED

Crop Year	Corn	Wheat	Peanuts	Hay and Forage	Tobacco	Cotton
1909	2,459,457	501,912	195,134	375,795	221,890	1,274,404
1899	2,720,206	746,984	95,856	229,998	203,023	1,007,020
1889	2,360,627	666,509	17,767	190,754	97,077	1,147,136
1879	2,305,419	646,829	(1)	101,758	57,208	893,153

(1) Not reported.

It will be seen that cotton acreage increased in the first decade, decreased slightly in the second, and gained in the last. Corn and wheat acreage increased for the first two decades and decreased in the last. Hay and forage, tobacco, and peanuts increased steadily. In the six year period from 1909 to 1915 increase in production was more rapid in many of the crops, ranging from 5 per cent for cotton and sweet potatoes to 88 per cent for corn, 161 per cent for wheat, and 667 per cent for buckwheat.

Prior to 1866 North Carolina was not regarded, strictly speaking, as one of the cotton states. Forty-one counties cultivated it but only twenty-two to any extent. The crop of 1860 was 145,514 bales and the state stood ninth in rank. In the period after the war cotton assumed a new position among the crops of the state and by 1880 forty-two new cotton counties had appeared. Their cotton acreage was 301,447 and they produced 129,398 bales. Among these counties were Wake, Mecklenburg, and Johnston, ranking first, third, and fifth in the state in production. Today cotton is grown principally in the eastern half of the state although it appears in sixty-eight counties. Over one-half of the total acreage is in fourteen counties, eight in the east central group and six near the centre of the southern boundary. They are in order, Robeson, Mecklenburg, Johnston, Wake, Edgecombe, Union, Anson, Halifax, Wayne, Cleveland, Pitt, Scotland, Wilson, and Nash. Between 1850 and 1910 the crop increased 2,300 per cent. The production now is around three-quarters of a million bales and tends to increase. Of all the cotton states, among which North Carolina ranks eighth, it has the largest per acre yield.

Corn is planted all over the state and the value of the crop, $31,286,000 in 1910 had reached $49,318,000 in 1915. In 1850 North Carolina produced thirty-four bushels per capita. In 1914 this had been reduced to twenty-four bushels, making a tremendous shortage for the state. Only two counties, Hyde and Clay, raised their own supply. Nor was this an accidental shortage for a census year. It was true of every year preceding the outbreak of the war in Europe. In 1914 the per capita production of corn, wheat, oats, peas and beans, potatoes, beef, pork, and mutton was less than in 1860 and there were actually fewer cattle, hogs and sheep.

Nine counties contain nearly one-half of the acreage of the tobacco crop, which has steadily increased in amount and value. North Carolina is now outranked in production only by Kentucky. In 1860 the crop was nearly 33,000,000 pounds; in 1870 it had fallen to 11,000,000, rising to 27,000,000 in 1880; 36,000,000 in 1890; 127,500,000 in 1900; and to 156,000,000 in 1905. In 1910 the crop was 138,813,163 pounds valued at $13,847,559, and that of 1917 was over 200,000,000 pounds. Between 1850 and 1910 the crop increased more than 1,300 per cent. Owing to the importance of the crop thirteen towns have been built up in the period since the civil war chiefly on their importance as markets, although several, notably Winston-Salem, Durham, and Reidsville have engaged largely in manufacture as well. The sales of the year 1916-1917 at Wilson totaled more than 27,000,000 pounds, nearly 18,000,000 at Winston-Salem, more than 17,000,000 at Rocky Mount, and more than 16,000,000 at Kinston and Greenville.

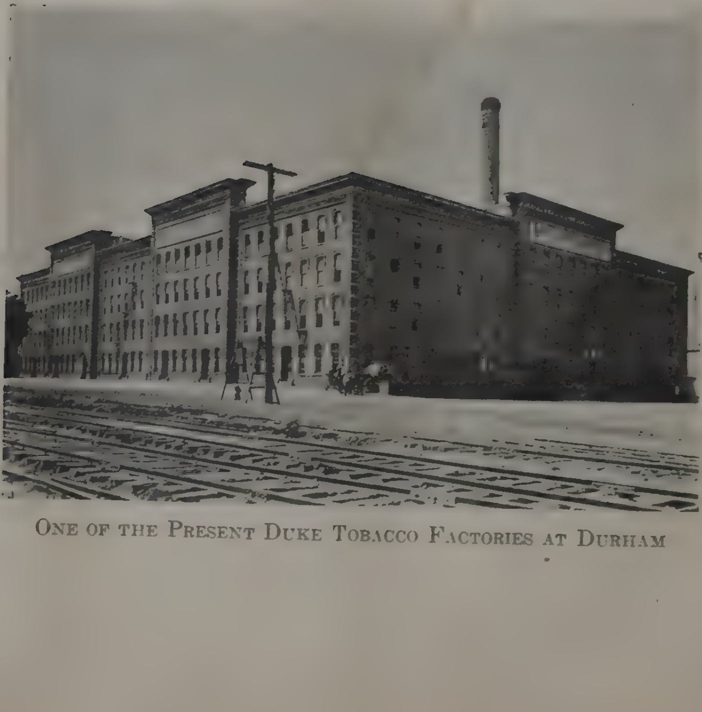
Peanuts have rapidly come into importance. Not planted as a commercial crop in 1879, more than 200,000 acres are devoted to them now. In 1909 the crop brought in more than $5,000,000 and has since largely increased. It is practically confined to twenty-one counties near the coast.

Wheat cultivation, prior to the outbreak of the war in Europe was falling off in almost every county of the state and there was a heavy shortage every year. The value of the crop in 1910 was nearly $4,500,000. Hay and forage, while increasing, were far below the needs of the state.

Sweet potatoes carry the distinction of being the one crop in which the state has ever taken first rank in the Union, having held that place from the census of 1870 to 1917, in which year both South Carolina and Alabama passed it. The value of the crop of 1910 was more than $4,000,000.

Largely because of the trucking industry, the total value of vegetables and berries has steadily increased. The trucking industry has been of tremendous value and importance, particularly in the East. It is a development of the last thirty-

Washington Duke's First Tobacco Factory



One of the Present Duke Tobacco Factories at Durham five years and was really the first upward movement in agriculture after the war.

Fruit-growing on a large scale is also a new thing and the apple orchards of the west and the peach orchards of the Sandhills region show the possibilities in the state. The market value of orchard fruit, grapes, and nuts was more than three and a half million in 1910.

The wealth created by agriculture in North Carolina is twice as much each year as that of all the other industries combined. The crop-producing power of the state in 1910 was $24.84 per acre. The agricultural produce of 1915 was worth $94,000,000 more than the aggregate resources of all the banks in the state. Taking the tax value of all property in 1914 as a basis we reach the striking fact that agriculture creates every three and one-half years as much wealth as all that the state has been able to accumulate during its entire history. But the per capita production is small, only about $169 and wealth is poorly retained. The per capita farm wealth in 1910 was only $322 and only four states in the Union took a lower rank. In per acre crop producing power the state far outranks Iowa, which leads the United States with a per capita wealth in farm properties of $3,386, and Oklahoma which leads the South with $830. It is evident that the difference is not due to agriculture so much as to methods of agriculture.

The difference lies in the crop system of the states mentioned. The situation in North Carolina is due to the almost exclusive use of cotton and tobacco as a basis of credit to farmers and absence of sufficient working capital, the want of foresight on the part of a large body of the more ignorant and thoughtless class of negro tenants, the prevalence of the renting system, the indifference or approval of supply merchants who want a profit, familiarity with cotton and tobacco, and a system of short term rentals. In other words North Carolina is largely committed to the one-crop system and cotton and tobacco have too long ruled agriculture. A vast amount of ready money comes in from them but it is spent almost at once in paying for the western beef and pork, butter and cheese, grain and forage, meal and flour which have been advanced.

In 1909 sixty-eight cotton-growing counties bought $97,000,000 worth of bread, meat, and hay alone. The same story in less degree was and is true of the tobacco counties. These things tell the story of the past half century. The future is secure provided the one-crop system is abandoned and diversified farming replaces it, with the chief emphasis upon the food crops. There were scattered manifestations of a possible tendency in that direction prior to 1914, and the influence of the world war and the imperative necessity of food production, it is to be hoped, will educate the farming class away from the slavery in which they have too long lived. It will be a fortunate day for the people of the state when King Cotton and King Tobacco are dethroned and lose their power which from the beginning has meant only slavery with the evils which the word implies.

The story of the industrial development of North Carolina is quite remarkable. Here, as in agriculture, cotton and tobacco are enthroned but, in sharp contrast, their sway is entirely beneficent and has meant in almost all respects progress and prosperity. As yet they are without rivals in the industrial field.

North Carolina was always well adapted naturally and through the instincts of its people to industrial endeavor. But slavery stifled industrial development and while in 1860 there were 3,689 manufacturing establishments, there was only a total capital of a little more than nine and a half million dollars. The total number of employes was 14,217, of whom 2,111 were women, and the combined wages amounted to something over two and a half million dollars. The total value of products was $16,678,698. Nearly all these establishments were small affairs in the nature of hand trades and neighborhood industries and there were but few factories in the entire state, the figures given including turpentine, plants, grist mills, shoemakers' shops and the like.

Bladen, thanks to turpentine plants of which it had nearly 500, led the state in number. Alamance led in capital invested with $728,750. New Hanover, also because of turpentine, led in value of products with a total of $1,377,717 as also in number of employes, 695 in all. Turpentine, with 1,526 plants with a combined capital of $2,053,226, producing a product valued at $5,311,420, led in number of establishments, capital invested, and value of product. Of establishments which can properly be called factories, there were in the first place ninety-seven tobacco manufacturing establishments with combined capital of $646,730, employing 1,361 hands, earning $164,460 in annual wages and making a product valued at $1,117,099. Rockingham, with twenty-five factories, Granville with sixteen, and Caswell with eleven led with considerably more than half the capital, hands, wages, and value of the product. Alamance, Stokes, and Person came next. Next in importance were thirty-nine cotton mills with a capital of $1,272,750, which consumed 5,500,000 pounds of cotton, had 41,884 spindles and 761 looms, employed 1,764 hands, of whom 1,315 were women, with total wages of $189,744 and making a product valued at $1,046,047.

The state stood second in the South and eighth in the Union on value of product. Cumberland with seven mills, and Alamance and Randolph with five each, led among the counties, having more than half the total capital and employes, paying more than half the wages, and making nearly half the total value of product.

The other factories worthy of mention were 335 lumber mills, all but 5 saw-mills, 7 small woolen mills, 6 small paper mills and 25 small iron works.

In 1863 the federal troops burned the cotton mills at Rocky Mount and in 1865 Sherman's troops destroyed the five mills in Cumberland while Stoneman's raid accounted for a mill in Caldwell. The close of the war found most of the rest with worn-out and obsolete machinery and generally in bad condition. This was of course true of all other industries. Consequently it may be said that the industrial development of the state begins with 1865. Several cotton mills, notably the Holt mill in Alamance began work almost at once, but cotton mill development, requiring as it did much capital and trained labor, was very slow for more than a decade.

The leading place of the state in naval stores was lost just at this time and that industry has since been of decreasing importance. The way was open, however, for tobacco manufacturing which required much less capital, a much smaller body of trained labor, and which had the best raw material in the world at the very door of the factory. Naturally, no other industry grew so rapidly.

For two decades after the war Virginia had an easy pre-eminence but North Carolina moved up steadily. The pause of the Union army near Durham for Johnston's surrender familiarized a vast number of Northern soldiers with the tobacco of that section and began the new tobacco industry in the state. Two plants soon assumed importance. W. T. Blackwell commenced the manufacture of his famous "Bull Durham" brand which profited most by the advertisement in the name of Durham. Washington Duke, an Orange County farmer, returned from the Confederate army and at once saw the great opportunity. He began the manufacture of smoking tobacco on his farm in a log cabin, 16 by 18 feet in size. In 1873 he built a three-story factory in Durham with a floor space of 40 to 70 feet and employing fifteen hands. In 1875 he had to add to this and the rapid expansion of his business began with "Duke's Mixture" as the chief reliance. A few years later the manufacture of cigarettes was commenced, accompanied by one of the earliest of the great advertising campaigns. The cigarette factory soon became the largest in the world, as the Blackwell factory was for smoking tobacco.

The name of Durham and the success of the two Durham brands led to the establishment of other factories, including some for the manufacture of plug tobacco, and Durham may be said to have been built up around the tobacco industry thus started. At other points factories were being built. Winston became an important manufacturing center early and continues so, the most important plant there being the great Reynolds' establishment, which is one of the largest of its kind in the world. The period of rapid increase came after 1880. Fifty factories were built in 1884 alone. In 1885 North Carolina was manufacturing 8 per cent of the total tobacco output of the United States and 5 per cent of the cigarettes. In 1890 the percentage had risen to 9 and 23 respectively. By 1905 the state's percentage of the total was 18 but of the cigarette production had fallen to 3. The total value of the output through the period increased steadily, reaching $7,000,000 in 1895, $13,000,000 in 1899, $28,000,000 in 1904, $36,000,000 in 1909 and nearly $58,000,000 in 1914, in which year the state led the United States in the manufacture of chewing and smoking tobacco. In 1917 Winston, which led the cities of the state in manufacturing, having a tenth of all the manufacturing capital in the state, passed St. Louis as a tobacco manufacturing centre and took the first place in the country in the industry. The federal tax has multiplied ten times since 1890, the capital employed twenty times and the output forty times. A fourth of all the chewing and smoking tobacco consumed, a seventh of all the tobacco products made in the United States are manufactured there.

In the same period the number of establishments decreased. From the close of the war until 1890 was a period of expansion. In 1870 there were 111 factories which increased to 126 by 1880. Competition was severe and in 1890 the number had fallen to 107. In 1896 there were 242, Forsyth leading with sixty-three followed by Surry with thirty-four and Rockingham with twenty-one. Consolidation with the crushing of competition then began and in 1899 there were only ninety-six, which had decreased to fifty-five in 1904 and thirty-six in 1914. The capital invested which was only $7,000,000 in 1899 reached $36,000,000 in 1904, dropping to $23,000,000 in 1909. The number of employes has increased steadily.

In 1870 there were thirty-three cotton mills in the state with a combined capital of $1,030,900, operating nearly 40,000 spindles and 600 looms and consuming 8,500 bales of cotton. The industry grew slowly during the following decade and did not begin to come into its own until the eighties. The number of mills had decreased by 1875 to thirty-one, but the spindles had increased to 54,000. In 1880 there were forty-nine mills with 92,000 spindles and 1,800 looms. Capital had more than doubled, being nearly $3,000,000 and the consumption of cotton had reached almost 24,000 bales. In spite of much discouragement from outside the state, expansion now began. Cotton and tobacco had brought ready money into the state, some of which was invested in new mills or in the

R. J. Reynolds Tobacco Company, Winston-Salem

Erwin Cotton Mills, Durham

Characteristic Industrial Plants

enlargement of old ones. Little outside capital came in during this period, but the profits of the mills were reinvested, and while some mills failed the majority succeeded. Most of the mills were small. By 1890 there were ninety-one mills with 337,800 spindles, 7,300 looms, $10,775,100 capital, consuming 107,100 bales of cotton. The labor situation which had been bad was now largely settled by the movement to the mills from the farms in consequence of the economic and financial depression of the nineties. The mills were prosperous and in 1895 the number had reached 184 with 989,093 spindles, 24,624 looms and a cotton consumption of 374,220 bales. The number dropped to 177 in 1899 but the spindles and looms increased substantially.

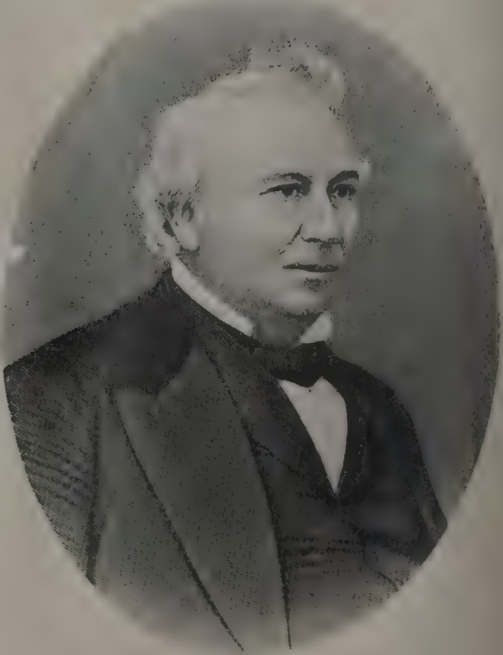
The next decade saw a still greater increase. In 1909 there were 281 mills with nearly 3,000,000 spindles. The value of the product was $29,395,948 in 1899, and $77,832,077 in 1909. In 1916 there were 306 mills, with a capital of more than $100,000,000 operating 3,988,098 spindles and consuming 1,067,288 bales of cotton. The value of the product $85,815,100. In that year North Carolina was leading the United States in number of mills and in the amount of cotton consumed. It was behind Massachusetts alone in the value of the product and behind Massachusetts and South Carolina in the number of spindles.

The mills are located in considerably more than half the counties in every section of the state though they are centered in the central section. Gaston leads in number of mills and spindles, having more than half a million of the latter, followed by Cabarrus, with more than a quarter of a million, Mecklenburg, Guilford, Durham, Rockingham, Alamance, Rutherford, Richmond, and Stanly. Although many of the earlier mills began operations with poor and often with second-hand machinery, the mills of today are splendidly equipped, many of them with the latest types of machines.

The limits of space forbid a longer discussion of the development of the textile industry. The subject cannot be left, however, without the statement that the influence of the cotton mill has been one potent for good in the state, materially and socially. There are problems connected with it, notably that

Washington Duke

D. A. Tompkins



Edwin M. Holt

INDUSTRIAL LEADERS

of child labor, which will have to be settled, but the same problems confront the state from other angles than the cotton mill. Child labor, the general impression to the contrary notwithstanding, is a matter far more intimately connected with the farm than with the factory.

Next in importance to cotton and tobacco manufacturing are the lumber and woodworking industries. North Carolina has a larger variety of commercial timber trees than any other state. Yellow pine, cypress, gum, and juniper in the East, walnut, cherry, holly, locust, chestnut, maple, hemlock, spruce, beech, ash, dogwood, white pine, poplar, hickory and the oaks in the Piedmont and Mountain sections are the most important. The superb forests invited exploitation in the period immediately following the Civil war and at first this was largely confined to the pine forests. As the supply waned, cypress and juniper assumed importance and the hardwood forests of the Piedmont and Mountain sections attracted attention. So sawmills multiplied and a most profitable industry was developed, accompanied by the most shameful and improvident waste and lack of all thought for the future. The reckless deforestation of the mountains and uplands have resulted several times in most disastrous floods. In spite of the years of this sort of thing, North Carolina still has a tremendous forest area of great value. In 1914 there were 2,952 sawmills and lumber plants in operation.

In 1879 the working of the hard woods commenced on a small scale, chiefly the manufacture of shuttle blocks and the like. In 1889 the development of the furniture industry began, centering at High Point, which today ranks next to Grand Rapids only, in the United States, in the production of furniture. It still holds a safe pre-eminence in the state although other towns now have important factories. There were in 1914 109 furniture factories and 167 other woodworking plants. These, combined with the lumber industries, employed nearly 50,000 people and turned out a product valued at more than $57,000,000.

Between 1880 and 1890 cotton seed oil mills were started and were immediately successful. The product was valued at half a million dollars in 1889, more than two and a half million in 1889, nearly four million in 1904, and more than fifteen million in 1914.

The manufacture of fertilizer began in North Carolina in the eighties. By 1899 there were eighteen factories, which increased to twenty-seven in 1904, to thirty-four in 1909, and to forty-one in 1914. The value of the product in the latter year was more than ten and a quarter million dollars.

The industries thus far discussed, in value of products, comprise 83 per cent of the total in the state. There are numerous other smaller industries but the state, while making a splendid beginning, has still, comparatively speaking, only a small number. It is still largely dependent on the outside world. Greater diversity will doubtless come and the tremendous development of water power now beginning will assist mightily in the process. In 1912, not taking into consideration small sites of less than a thousand horsepowers, there was estimated to be in the state a potential minimum of 578,000 horsepowers. The installed capacity at the same time was 110,203, the third largest in the South. Eighteen corporations owned 27 per cent of the potential horsepower, while 45 per cent of the water-power developed and under construction was controlled by the Southern Power Company. In 1915 two companies controlled more than 75 per cent of the developed power and more than 66 per cent of the total power.

The development of the mineral wealth of the state has been on the whole slow and relatively unimportant. Two hundred and ten, or more than two-thirds of the varieties of minerals in the world, are found within its borders but not in great quantity. Building stone, clay products, mica, and gold are the four leading mineral industries, producing almost six-sevenths of the total. North Carolina leads the United States in the production of kaolin, found in Jackson, Macon, Swain, and Mitchell, and of mica, in the production of which Mitchell leads, followed by Yancey. The gold produced is about nine-tenths of all east of the Mississippi but it amounted in 1916 only to $126,000.

One more industry must be mentioned. The vast extent of water in the sounds and rivers of North Carolina furnish a natural resource of the highest importance in both salt and fresh water fish. The industry has long been important. But the state has never adequately protected its marine wealth, which has been recklessly exploited and squandered. The industry in the upper sounds as a consequence has been to a great extent destroyed. The whole matter has been the plaything of politics and selfish interests and the question has never been approached as one of state-wide concern, interest, or importance. The annual value of the products is close to $2,000,000.

Tremendously important as an adjunct of agriculture and industry has been the bank development in the state since 1865. In 1860 there were sixteen banks with a total capital of $9,408,470 and deposits of $1,831,598. All of these banks were destroyed by the war and the repudiation of the war debt, but in the autumn of 1865 two national banks were established. Ten years later there were thirty banks with combined capital of $4,000,000 and deposits of $250,000. In 1889 there were sixty-nine with the total capital increased less than $500,000, but with more than $8,000,000 on deposit. The later growth is shown in the table.

Year	Number	Capital	Deposits
1899	117	$ 5,711,910	$16,757,855
1907	129	12,318,276	58,931,155
1915	476	20,190,483	88,404,895

The hopeful things at the close of the last census period in North Carolina industrial development were that among the thirteen Southern states, it led in the average number of wage earners, in primary horsepower employed in manufacturing, in annual wages paid, a total of $46,038,000, in value added by manufacture, in number of cotton mills, in value of products, in variety of cotton goods produced, in furniture factories, in the manufacture of tobacco, and in the use of raw material from its own doors.

It cannot be doubted that in one sense the industrial development of the state has just begun. But certain it is, however, that no future development and growth can so quicken and revolutionize the people of the state as that already accomplished has done, nor, be it said, render so high a service as that contributed to the remaking of the prostrate state which emerged from the civil war.

CHAPTER XVIII

RAILROAD DEVELOPMENT SINCE 1860

In 1860 there were less than nine hundred miles of railroad in North Carolina. Of the roads the most important were the North Carolina, opened in 1856, running 224 miles from Goldsboro to Charlotte; the Wilmington and Weldon, opened in 1840, running between the points named, with a branch sixteen miles long, opened in 1849, between Rocky Mount and Tarboro; the Raleigh and Gaston, opened in 1844, running ninety-seven miles from Raleigh to Weldon, and the Atlantic and North Carolina, opened in 1858, connecting Goldsboro with Morehead City, ninety-five miles away. The other roads were the Wilmington and Charlotte, partly constructed; the Wilmington, Columbia and Augusta, which had sixty miles in the state; the Atlantic, Tennessee and Ohio, running from Charlotte to Statesville, forty-five miles away; the Western, opened in 1860, from Fayetteville to Egypt, a distance of forty-three miles; the Seaboard and Roanoke, connecting Weldon and Portsmouth, Virginia, opened about 1850, which ran for twenty-two miles in the state; the Petersburg road, connecting Petersburg with Garysburg, about ten miles of which was in North Carolina; and the Charlotte and South Carolina, opened in 1852, which connected Charlotte with the South Carolina Railroad at the state line eleven miles distant. All these roads were poorly equipped and, under the strain of war, all suffered severely, even before the advent of federal troops brought intentional injury which was well-nigh destruction.

During the war little building of railroads was possible. Some grading was attempted on the Wilmington and Charlotte, and the Piedmont road was built in 1862, connecting Danville, Virginia, with Greensboro. This was a military road built at the urgent request of the Confederate government to afford a new line of communication between the armies in Virginia and the South.

At the close of the war the Department of Military Railroads of the United States seized the Raleigh and Gaston, the Wilmington and Weldon, the Atlantic and North Carolina and a part of the North Carolina, and during the period of military occupation an extensive work of repair and improvement was kept up on all of them, greatly to their benefit, at a total cost of more than two and a half million dollars.

In spite of the poverty of the people, plans were made for a large extension of railways, the war having sharply emphasized their importance to the whole community. The legislature of 1866 passed acts in aid of the Western North Carolina, which had been chartered in 1855 and which had reached a point eleven miles east of Morgantown in 1860.

The frauds and scandals of reconstruction connected with railroads failed to destroy public belief in the necessity of railway extension. It did make state aid unpopular, but every legislature saw the chartering of a number of private companies. In 1869 the Western North Carolina had reached Old Fort, but the construction of the road across the mountains was an immense task and little more was accomplished for some time.

In the decade which followed the construction of many short lines and sections was accomplished and the way paved for later consolidation and extension. The Atlanta and Charlotte Air Line, with forty-three miles of road in the state, was completed in 1873. The Northwestern, opened from Greensboro to Winston and Salem in the same year, continued to extend towards Wilkesboro, 100 miles away, which it did not, however, finally reach until 1890. The Chatham road, which had received rather an evil name in Reconstruction, became the Raleigh and Augusta Air Line in 1871, and was completed from Raleigh to Gibson, 107 miles away. In 1886 the Pittsboro branch to Moncure was opened. The Suffolk and Carolina, from Suffolk, Virginia, to Montrose, a distance of thirty-four miles, and the Jamesville and Washington, twenty-two miles long, were opened in the same period.

By 1879 there were 1,300 miles of road in the state, but much of it was scattered and unconnected; only forty-nine of the ninety-four counties had railroad connections. Obvious necessities were the completion of the Western North Carolina, which was finally about to reach Asheville, but which had to be extended to the Tennessee line at two points; the connection of Goldsboro and Wilson with Greenville and Washington; and of Edenton and Elizabeth City with Norfolk. Other desirable points for connection were Edenton and Suffolk, Scotland Neck and Halifax, and New Bern and Onslow County.

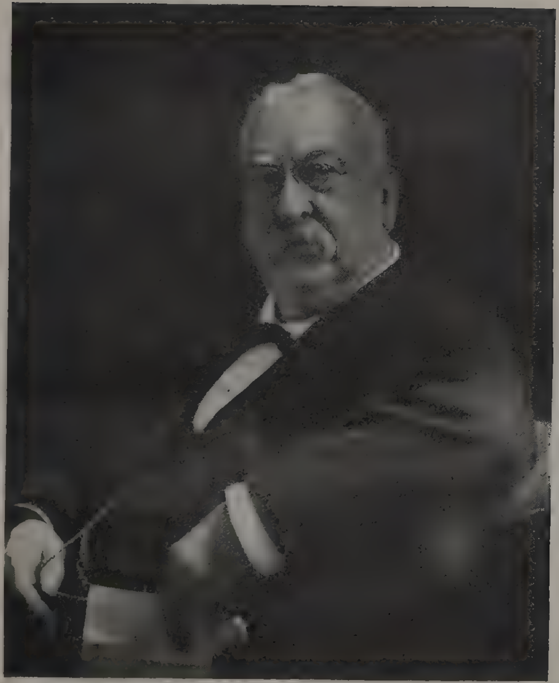
The sale of the Western North Carolina by the state assured its completion, and its later acquisition by the Richmond and Danville meant better connections and through traffic. The opening of the western part of the state was also furthered by the completion of the Asheville and Spartanburg, which reached Hendersonville in 1879 and Asheville in 1886. Other western roads constructed in the decade following 1880 were the Chester and Lenoir, connecting Lenoir with Lincolnton and Charlotte, which had been begun before the war and finally reached Lenoir in 1884; the East Tennessee and Western North Carolina, completed in 1882, between Johnson City and Cranberry; the Statesville and Western, opened in 1887, from Statesville to Taylorsville, a distance of twenty miles; the Marietta and North Georgia, later absorbed by the Louisville and Nashville, which ran thirteen miles through Cherokee County towards Knoxville, and the Charleston, Cincinnati and Chicago, which connected Marion with the South Carolina line. This became the Ohio River and Charleston in 1894. These roads transformed the western part of the state and brought a prosperity never before known.

In the central part of the state construction was more rapid. The most important single road was the Cape Fear and Yadkin Valley, which succeeded the Western in 1879. An extension of four miles from Egypt to Gulf was finished in 1879 and extended by Greensboro to the Virginia line in 1884. In the same year the road was extended from Fayetteville to Maxton and on to the South Carolina line towards Bennettsville, a distance of forty-six miles. In 1886 another branch was carried from the Greensboro line to Belew's Creek and on to Ramseur, and the next year a second one to Pilot Mountain, and on in 1888 to Mount Airy. The Madison branch was built in the same year, and the extension of eighty-two miles from Fayetteville to Wilmington in 1890.

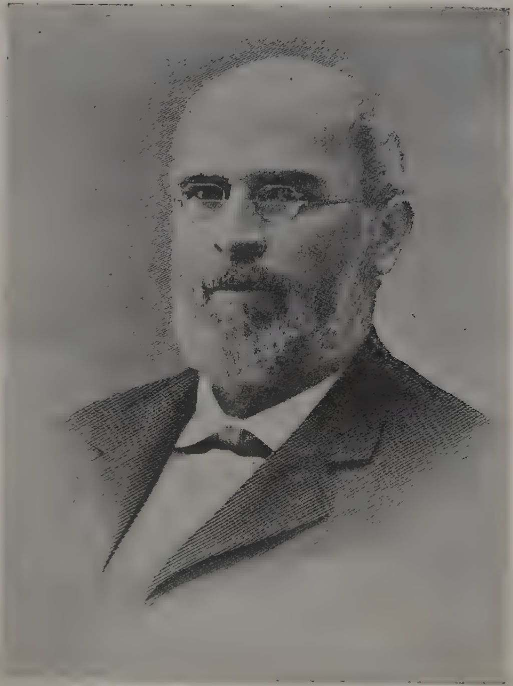
In the period the Wilmington and Weldon built four branches: the Scotland Neck branch, from Halifax to Kinston, a distance of eighty-five miles, in 1885; the Fayetteville branch, running seventy-four miles from Wilson to Florence in 1886; the Clinton branch, from Warsaw to Clinton, a distance of thirteen miles in 1887; and the Nashville branch, running nineteen miles from Rocky Mount to Spring Hope in 1888. The Cheraw and Salisbury was built in 1880, but only reached Wadesboro. The Albemarle and Raleigh, running fifty-six miles, from Tarboro to Plymouth, was opened and later acquired the Williamston and Tarboro. The Oxford and Clarksville, from Durham to Bullock's, was finished in 1888, and the Durham and Northern, from Durham to Henderson, was opened the next year. The High Point, Randleman and Asheboro was opened the same year. The Roanoke and Southern, from Winston and Salem to the Virginia line towards Martinsville, was built in 1887.

Minor roads and extensions of the same period were the Oxford and Henderson, and the University, both built in 1881; the Danville, Mocksville and Southwestern, from Cascade Junction, Virginia, to Leaksville, built in 1882; the Maxton, Alma and Rowland, in 1887; the Atlantic and Danville, connecting Danville and Norfolk, a small part of which was in North Carolina; the Roanoke and Tar River, from the Virginia line to Lewiston; and the Georgia, Carolina and Northern, from Monroe to the South Carolina line, all built in 1887; the Carthage road to Cameron, built in 1888; and the Midland North Carolina, from Goldsboro to Smithfield.

In the East, the Norfolk and Southern, connecting Norfolk with Elizabeth City and Edenton, was completed in 1881; the Wilmington, Chadbourn and Conway, and the Wilmington, Onslow and East Carolina, the latter between Wilmington and Jacksonville, were in operation in 1887; and the Chowan and



A. B. Andrews



R. R. Bridgers, President of the Wilmington and Weldon Railroad

TWO RAILROAD BUILDERS

Southern, later the Norfolk and Carolina, from Pinner's Point to Tarboro, was completed in 1889.

By 1888 there were 2,550 miles of road in the state, owned by fifty-one companies, and several times as much more planned with a considerable part under way.

In 1890 the Durham and Lynchburg and the Aberdeen and Asheboro, the latter connecting Aberdeen and Candor, were completed, and the following year the Yadkin road from Salisbury to Norwood, the North Carolina Midland, from Winston to Mocksville, and the Egypt, from Colon to Egypt, were added.

When in 1891 the railroad commission made its first report there were sixty-seven railroads in the state with a mileage of 3,433, penetrating every county except Alleghany, Ashe, Clay, Davie, Graham, Hyde, Pamlico, Transylvania, Tyrrell, Watauga, Yadkin and Yancey. They had been assessed for taxation in 1890 at $12,321,704 and in 1891 they were assessed at $18,423,298. Several roads were still exempt from taxation under the terms of their original charters, notably the Raleigh and Gaston and the Wilmington and Weldon.

The period which follows, while one of continued construction, was notably one of consolidation. That process had commenced in 1871, when the North Carolina Railroad was leased to the Richmond and Danville for thirty years at 6 per cent interest on $4,000,000, which was, on the whole, a good bargain for the state. The Richmond and Danville also operated the Piedmont road and thus was begun the first great railroad system in the state. About 1880 it began to extend and by 1891 had either acquired or leased the Atlanta and Charlotte, the Atlantic, Tennessee and Ohio, the Asheville and Spartanburg, the Charlotte, Columbia and Augusta, the Danville, Mocksville and South Western, the High Point, Randleman and Asheboro, the Milton and Sutherlin, the North Carolina Midland, the Northwestern North Carolina, the Oxford and Clarksville, the Oxford and Henderson, the Danville and Western, the Statesville and Western, the University, the Western North Carolina and the Yadkin, which with the ones already controlled gave it a mileage of 1,091 in the state. In 1894 the Southern Railway was organized to take over the

Richmond and Danville, which had gone into the hands of a receiver during the year. The North Carolina Railroad was necessary to its existence and to make sure of its control the Southern applied for a new lease, that to the Richmond and Danville being due to expire in 1901. As will be recalled, the new lease was made for ninety-nine years. Between 1895 and 1900 the portion of the Cape Fear and Yadkin Valley from Sanford to Mount Airy with all its western branches was acquired when the road was sold. In 1916 its total mileage in the state was 2,092.

The second great system in the state was the Atlantic Coast Line. In the eighties the Richmond and Petersburg and the Petersburg roads united as the Atlantic Coast Line of Virginia. This system operated by agreement the Wilmington and Weldon and the Wilmington, Columbia and Augusta, which the latter had leased in 1885; the Cheraw and Salisbury; and the Albemarle and Raleigh. The total mileage in 1891 was 537. In 1892 the Norfolk and Carolina was added, and by 1900 the Wilmington, New Bern and Norfolk, formerly the Wilmington and Onslow, now completed to New Bern, and the eastern portion of the Cape Fear and Yadkin Valley from Sanford to Wilmington had been acquired. In addition, the Washington branch from Parmele to Washington had been built. In the years since that time the road from Pender to Kinston has been completed and several smaller sections acquired. In 1916 the system, which in 1899 was consolidated into one road, owned 1,033 miles in the state.

The third great system was the Seaboard Air Line, also formed in the eighties, with the Raleigh and Gaston and Seaboard and Roanoke as its chief constituents. The former already owned the controlling interest in the Raleigh and Augusta, the Durham and Northern, the Carolina Central, and the Georgia, Carolina and Northern; the latter had a large interest in the Raleigh and Gaston, the Raleigh and Augusta, the Georgia, Carolina and Northern, the Roanoke and Tar River, the Pittsboro and the Carthage roads. All these were grouped together and operated as one. Their total mileage in North Carolina was 600, which had increased to 616 by 1916. In 1900 a consolidation into one road was effected.

In 1892 the Norfolk and Western Railway of Virginia leased the Lynchburg and Durham and the Roanoke and Southern, a total of eighty-seven miles, which it still operates and controls as a part of its system.

In 1906 the fourth great system was formed. The Norfolk and Southern, the Virginia and Carolina Coast, formerly the Suffolk and Carolina; the Raleigh and Pamlico Sound, and the Atlantic and North Carolina, the last of which had been leased from the state in 1903 by the Howland Improvement Company, were consolidated into the Norfolk Southern Railroad. In 1914 a further consolidation took place with the Raleigh and Southport, running from Raleigh to Fayetteville; the Durham and Charlotte, connecting Sanford and Troy, and the Aberdeen and Asheboro, which in 1912 had merged into the Raleigh, Charlotte and Southern Railway. In 1916 the system owned and operated 941 miles of road in the state.

Since 1900 the most important new road is the Charleston, Clinchfield and Ohio, which now runs across the state from the South Carolina line by way of Rutherfordton and Marion through Mitchell County to Virginia, a distance of 117 miles.

During this period forty-five small roads, with a mileage ranging from three to ninety-five, have been built. Their combined mileage is 983. They have helped the state immensely and will doubtless in time be absorbed by the larger roads or the great systems.

In 1916 there were fifty-four railroad companies in the state with a total mileage of 4,958. Every county of the state, with the exception of Alleghany, Dare and Hyde, is now touched by at least one road. Their value as assessed for taxation was $125,836,003.

The creation of the railroad commission in 1891 was of great benefit to the people of the state and to the railroads as well. The latter had held quite the contrary opinion and had resisted its creation with all their influence. But the fact of the existence of the commission and its forcing the roads to better service tended to remove from the minds of the people a great deal of the prevalent ill-feeling against the roads. Railroad property was assessed much more equitably and much higher. In two years after the creation of the commission the assessment was nearly double what it had been before. The table indicates the rise of assessed valuation, chiefly explained, of course, after the first year or two by the growth of the roads.

1890	$12,321,704	1902	$42,627,261
1891	18,423,298	1906	57,247,650
1892	19,726,760	1908	85,580,803
1893	24,228,954	1916	125,836,003

The Raleigh and Gaston, the Wilmington and Weldon, and the North Carolina, it will be remembered, claimed exemption from taxation. By the early nineties there was much popular feeling against them on this account and a growing conviction that all the roads should be subject to the taxing power of the state. The legislature and the state authorities began a determined effort to force or persuade them to submission and finally by indirect means won their point. The Raleigh and Gaston claimed exemption for the Seaboard and Roanoke and the state treasurer brought suit for the taxes. In a resulting compromise the road agreed to surrender its immunity. In 1893 the Wilmington and Weldon was forced to take the same action in order to secure the re-charter of the Petersburg Railroad, which was vital to the operations of the Atlantic Coast Line. When the North Carolina was leased to the Southern the abandonment of exemption was part of the agreement.

From time to time there have been bitter quarrels about rates for both passengers and freight. Of the former the most notable was that of 1907, elsewhere described. So far as freight rates are concerned, discrimination against North Carolina towns has aroused more discussion than anything else, and the question has never been fully settled. The railroads have been, of course, a most vital factor in the development of the state. They have had to contend with much popular criticism and unpopularity, in part deserved, without a doubt, but in part scarcely based on sufficient grounds. The railroads were active in politics during the first three decades following the close of the war, and their participation was not, on the whole, beneficial to the state. Nor was it in the long run a good thing for the roads. It excited hostility and suspicion which were slow in dying. When political activity on the part of the roads lessened, the habit of "baiting" railroads had been formed by many politicians, while many private citizens were unable to rid themselves of instinctive dislike and distrust of the roads. And for this the roads were to blame. For many years, too, there was no policy of consideration for the people and the demand, open or implied, for special privileges fostered public hostility. But in recent years, particularly within the last decade, there has been a growth of a very healthy and friendly public sentiment towards the roads, due partly to a better knowledge of their difficulties, partly to a recognition of the interdependence of the roads and people, and partly to the changed attitude of the railway managers, who have come to realize their position as public servants.

The growth and development of the four systems has meant much to the territory served by them. Through traffic better and cheaper service, and the stimulation of agricultural and industrial development along their lines have everywhere resulted. Their managements have all faithfully sought to accomplish this, moved, of course, by self-interest, but also by a sincere and patriotic ambition to play a large part in the making of the new South.

CHAPTER XIX

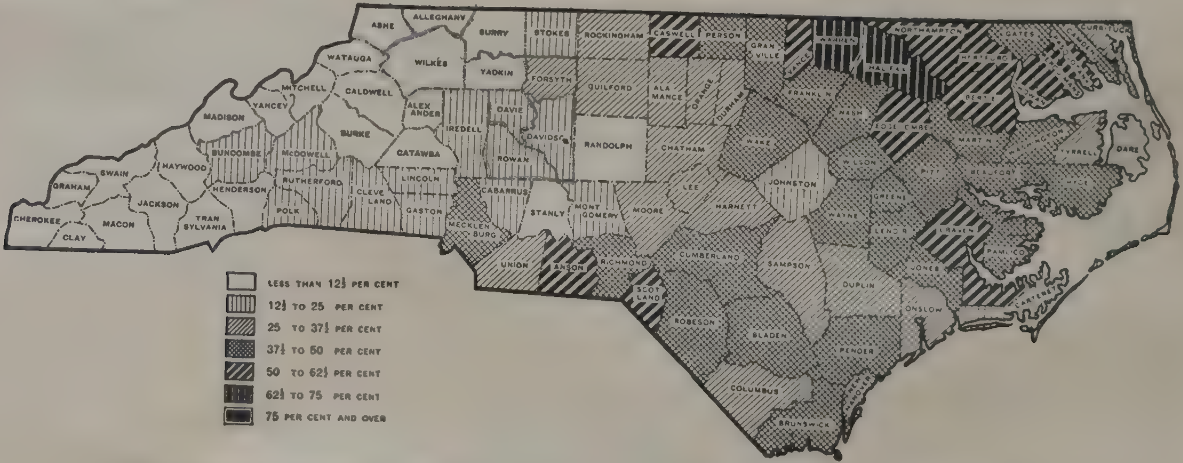
SOCIAL TENDENCIES

A view of social conditions in North Carolina requires, of course, knowledge of the population, its elements and its distribution. The following table shows at a glance the more important facts.

	1860	1870	1880	1890	1900	1910
Total population.	991,464	1,071,361	1,399,750	1,617,949	1,893,810	2,206,287
White	629,942	687,470	867,242	1,055,382	1,263,603	1,500,511
Negro	361,522	392,891	532,508	561,018	624,469	697,843
Urban	......	....	....	115,759	186,790	318,474
White	......	....	....	60,049	110,576	202,438
Negro	......	....	....	55,695	76,169	115,975
Rural	......	....	....	1,502,190	1,707,020	1,887,813
White	......	....	....	995,333	1,153,027	1,298,073
Negro	......	....	....	505,323	548,300	581,868
Foreign born						
White	3,298	3,029	3,742	3,662	4,394	5,942

It will be noted that the white population is increasing faster than the colored and that the number of foreigners in the state is negligible. The distribution of the negroes is interesting. No county has a larger percentage than seventy-five, but two, Warren and Halifax, have between 62½ and 75 per cent. Twelve, Anson, Bertie, Caswell, Chowan, Craven, Edgecombe, Hertford, Northampton, Pasquotank, Perquimans, Scotland and Vance have more than 50 per cent, twenty-five have more than 37½ per cent, seventeen more than 25 per cent, sixteen more and twenty-five less than 12½ per cent.

Probably the most notable change taking place is the growth of urban population. This is the more significant when it is remembered that there is no large city in the state but that this population is diffused among many small places. In 1910 North Carolina had only two places, Charlotte and


ASHE
ALLEGHANY
SURRY
STOKES
ROCKINGHAM
CASWELL
PERSON
GRANVILLE
VANCE
WARREN
HALIFAX
NORTHAMPTON
GATES
CAMDEN
CURRITUCK
HERTFORD
PASQUOTANK
PERQUIMANS
CHOWAN
BERTIE
WATAUGA
WILKES
YADKIN
FORSYTH
GUILFORD
ALAMANCE
ORANGE
DURHAM
FRANKLIN
NASH
EDGECOMBE
MARTIN
WASHINGTON
TYRELL
DARE
MITCHELL
YANCEY
MADISON
CALDWELL
ALEXANDER
IREDELL
DAVIE
DAVIDSON
RANDOLPH
CHATHAM
WAKE
WILSON
PITT
BEAUFORT
HYDE
BURKE
CATAWBA
ROWAN
BUNCOMBE
McDOWELL
HAYWOOD
SWAIN
GRAHAM
CHEROKEE
CLAY
MACON
JACKSON
TRANSYLVANIA
HENDERSON
RUTHERFORD
POLK
CLEVELAND
LINCOLN
GASTON
MECKLENBURG
CABARRUS
STANLY
MONTGOMERY
MOORE
LEE
HARNETT
JOHNSTON
GREENE
WAYNE
LENOIR
CRAVEN
PAMLICO
JONES
CARTERET
ONSLOW
DUPLIN
SAMPSON
CUMBERLAND
UNION
ANSON
RICHMOND
SCOTLAND
ROBESON
BLADEN
PENDER
COLUMBUS
BRUNSWICK
NEW HANOVER
LESS THAN 12½ PER CENT
12½ TO 25 PER CENT
25 TO 37½ PER CENT
37½ TO 50 PER CENT
50 TO 62½ PER CENT
62½ TO 75 PER CENT
75 PER CENT AND OVER

Per Cent of Negroes in Total Population of North Carolina by Counties, 1910

Wilmington, with a population of 25,000, only five more, Asheville, Durham, Greensboro, Raleigh and Winston above 10,000, and only thirty-three more with a population above 2,500. The movement to the towns has meant leaving the farms but it has not meant the congestion of any community. The drain of other states upon North Carolina which was so great in the ante-bellum period continues. In 1910, 237,229 white North Carolinians were residing in other states and only 75,073 natives of other states had come to take their places. The balance was against North Carolina in all the states except Maine, New Hampshire, and Vermont.

Throughout its history North Carolina has been an individualistic and, for a large part of the time, an unsocialized community, lacking in community consciousness and a sense of community responsibility. The state was marked by a sort of hereditary characteristic, derived from the facts of its origins and early development. Lying in an eddy between the currents which brought outside influence and stimulus to its neighbors immediately to the north and south, settled largely by people of small means and limited education, it remained, so far as the mass of the people were concerned, a sort of backwater. It was conservative because it was ignorant and poor and it remained poor because it was ignorant. From being conservative it became static and, retrograding in comparison with the other states, it began finally to look as though it was actually a decadent community. A vast throng of its more progressive citizens sought elsewhere the opportunities denied them at home. Some, usually those of means, turned to the Southwest where the rapid extension of cotton culture brought a vast and swift increase of wealth. Others, in the main the non-slaveholding poorer elements, went to the Northwest where, out of competition with slavery, free labor had a chance and where educational advantages were open even to the children of the poor.

Beginning, however, in the years immediately following 1835, progressive movements appeared which seemed to promise a social revolution. The development of systems of transportation and public schools, the removal of suffrage limitations, the movement for *ad valorem* taxation of slave property, all gave promise for the future. But all these things were checked by the war and to a greater extent by Reconstruction, which imposed a new set of problems, the influence of one at least of which—the negro—was deadening and destined to check progress in the state in an alarming fashion for several decades.

In 1865 Huxley, in speaking of emancipation, said:

> The question is settled, but even those who are most thoroughly convinced that the doom is just must see good grounds for repudiating half the arguments that have been employed by the winning side, and for doubting whether its ultimate results will embody the hopes of the victors, though they may more than realize the fears of the vanquished. It may be quite true that some negroes are better than some white men; but no rational man, cognizant of the facts, believes that the average negro is the equal, still less the superior of the average white man.
>
> But whatever the position of stable equilibrium into which the laws of social gravitation may bring the negro, all responsibility for the result will henceforth be between nature and him. The white man may wash his hands of it and the Caucasian conscience be void of reproach for evermore. And this, if we look to the bottom of the matter, is the real justification for the abolition policy.

True as was the first part of his analysis, the latter part shows a strange ignorance both of the necessities of the case and of Southern feeling. It was an impossibility for the Caucasion to "wash his hands" of the negro, and to the credit of the people of North Carolina it must be added that in the main they have not desired to do so, though politics, or rather a certain stripe of politicians, have often made them appear in that light. But the very sense of responsibility made the presence of the negro, so long as he was a political factor, one of the most retarding forces in the life of the state.

Slowly the two races, after the failure of the attempt at forced equality made by the conquerors during Reconstruction, worked out a fairly satisfactory *modus vivendi.* The fusion régime interrupted this but disfranchisement began a new day in the relations of the races. White men, with the negro out of politics, began to see clearly that North Carolina could make no rapid progress if the negroes remained what Charles Francis Adams aptly termed a "terrible inert mass of domesticated barbarism."

The case was clear. If crime was to be lessened the negro must be trained in obedience to law. If public and private morals were to be elevated, the morals of the negro must be cared for. Before public health could be improved the negro must be taught sanitation and hygiene and prevented from endangering the welfare of the whole community. And so he must learn honesty, industry, thrift, and all the other qualities which go into the making of good citizens. In other words he must be educated.

Leaders of thought saw this, but naturally the masses are not always able to see the fundamental necessity to the white people of the uplift of the inferior race. A certain type of politician desired still to use the negro as a political argument. Most of this probably was unintentional; they had simply formed the habit and could not realize the changed conditions. For the others, John Charles McNeill wittily sang:

I cannot see, if you were dead,
    Mr. Nigger,
How orators could earn their bread,
    Mr. Nigger.
For they could never hold the crowd,
Save they abused you long and loud
As being a dark and threatening cloud,
    Mr. Nigger.

and told the whole story.

In 1901 as has been seen, a demand arose for the division of the school fund on the basis of what each race paid. This had two underlying motives. One was a feeling that the primary obligation of the state was to the white children; the other was a conscious purpose to restrict the opportunities for the negro to become educated and qualify as a voter. Aycock's splendid courage in his fight in behalf of justice checked the movement but the question arose again in 1902 and again Aycock threw himself into the fight. Never faltering, he opposed it as unjust to the negroes and injurious to the whites. As he said:

> The amendment proposed is unjust, unwise, and unconstitutional. It would wrong both races, would bring our State into condemnation

> of a just opinion elsewhere, and would mark us as a people who have turned backward. * * * Let us not seek to be the first State in the Union to make the weak man helpless. This would be a leadership that would bring us no honor but much shame. * * * Let us be done with this question, for while we discuss it the white children of the State are growing up in ignorance.

Aycock's opposition was effective and today no such proposition is ever considered.

The race problem is of course not settled in North Carolina, but the whole matter is on a new basis. There are undoubtedly many individual cases of injustice and oppression but steadily they grow fewer. The purpose of the white men to rule is none the less fixed, but more than ever he is determined to rule in righteousness. As Aycock phrased it:

> If we fail to administer equal and exact justice to the negro whom we deprive of suffrage, we shall in the fulness of time lose power ourselves, for we must know that the God who is love, trusts no people with authority for the purpose of enabling them to do injustice to the weak. We do well to rejoice in our strength and to take delight in our power, but we will do better still when we come fully to know that our right to rule has been transmitted to us by our fathers through centuries of toil and sacrifice, suffering and death, and their work through all these centuries has been a striving to execute judgment in righteousness. That must likewise be our aim, that our labor.

In this connection it is well to repeat his solution of the negro problem:

> I am inclined to give you our solution of this problem. It is, first, as far as possible under the Fifteenth Amendment to disfranchise him; after that let him alone, quit writing about him; quit talking about him, quit making him "the white man's burden," let him "tote his own skillet;" quit coddling him, let him learn that no man, no race, ever got anything worth the having that he did not himself earn; that character is the outcome of sacrifice and worth is the result of toil; that whatever his future may be, the present has in it for him nothing that is not the product of industry, thrift, obedience to law, and uprightness; that he cannot, by resolution of council or league, accomplish anything; that he can do much by work; that violence may gratify his passions but it cannot accomplish his ambitions; that he may eat rarely of the cooking of equality, but he will always find when he does that "there is death in the pot." Let the negro learn once for all that there is unending separation of the races, that the two peoples may develop side by side to the fullest but that they cannot intermingle; let the white man determine that

> no man shall by act or thought or speech cross this line, and the race problem will be at an end. * * *
>
> But I would not have the white people forget their duty to the negro. We must seek the truth and pursue it. We owe an obligation to "the man in black;" we brought him here; he served us well; he is patient and teachable. We owe him gratitude; above all we owe him justice. We cannot forget his fidelity and we ought not to magnify his faults; we cannot change his color, neither can we ignore his service. No individual ever "rose on stepping-stones of dead" others "to higher things," and no people can. We must rise by ourselves, we must execute judgment in righteousness; we must educate not only ourselves but see to it that the negro has an opportunity for education.

In North Carolina today the most hopeful sign is the increased interest in education, the growth and development of a real public sense of responsibility for it. It is, in a sense, only a begininng, but it is genuine. The people begin to feel the truth of Aycock's phrasing of a great truth: "The strength of every community is dependent upon the average of the intelligence of that community, and this intelligence is dependent upon the education of the entire mass and not of the few." But there remains a vast amount of work to be done and of difficulty to be overcome.

In 1910 there were 291,497 illiterates in the state, 18.5 per cent of the total population over ten years of age. The percentage was 31.9 among negroes; 12.3 among native whites, and 8.3 among foreign-born whites. Rural population showed a percentage of illiteracy of 19.6 compared with 12.5 for urban. Of the white males of voting age 49,619, or 14.1 per cent were illiterate, only Louisiana of all the states of the Union making a worse showing. Yet bad as this is there is in it ground for hope. In 1880 of the total population over ten years of age there were 463,975 illiterates, or 48.3 per cent; in 1890, 409,703 or 35.7 per cent; and in 1900, 386,251 or 28.7 per cent. Of the white population 31.5 per cent in 1880, 23.01 per cent in 1890, and 19.5 per cent in 1900 were illiterate. Of the negroes 77.4 per cent in 1880, 60.11 per cent in 1890, and 47.6 per cent in 1900 were illiterate. During the decade from 1900 to 1910 North Carolina reduced its white illiteracy more than did any other state except New Mexico. It really was a remarkable achievement when all things are considered and is full of promise for the future. Without doubt the coming census will show even a greater gain. On the other hand, it must be noted that the decrease in illiteracy in North Carolina as well as in the South as a whole has been due to the decreases in negro illiteracy, white female illiteracy, and urban illiteracy. It is a startling fact that since 1850 in North Carolina illiteracy among adult white males has increased from 13.6 per cent to 14.1 per cent. The same fact is true in even larger measure in South Carolina, and will probably upon investigation be [illegible] true in the other southern states. These increases in white male illiteracy are mainly in the rural regions. The actual number of illiterates of course has decreased.

There is no longer any valid reason, if indeed there was ever one, why public education should not remove illiteracy and in other ways promote progress. Poverty, the overworked excuse of all the years, is ceasing to exist for the great mass of the people and continues chiefly because of ignorance. It is true that the per capita wealth of the state as expressed upon the tax books is small. In 1912 it was $794 with only Mississippi of all the states having a lower amount. The estimated actual wealth of the state in 1912 was $1,800,000,000 and yet in 1914 only $807,000,000 was on the tax books. It is sometimes said that assessments in the state average 60 per cent of the true value of the property, but this is far from being the case. The habit of dodging taxes has prevailed in North Carolina from her earliest days and is probably at its worst today. Concealment of property, open and flagrant under-valuation and assessment, and every sort of wilful evasion of the tax laws are commonplaces in probably every county of the state. Nor are they confined to individuals. Counties and townships vie with each other in lowering the basis of assessment of land until in a comparison of census values with tax values, it appears that while Dare County assesses its farm lands at 188 per cent of their census value, New Hanover at 146 per cent, Graham at 139 per cent, and Durham and Swain at 109 per cent, Ashe assesses at only 18 per cent, Yancey at 16 per cent and Alleghany at 13 per cent.

It can not longer be said that land bears any universal relation to assessment in North Carolina.

Nor is this the whole story. In 1914 in thirty-three counties including Cleveland, Cumberland, and Sampson, no income tax was paid and in many others the returns were utterly and patently absurd. The facts were known and no action was taken.

The whole system is wrong. As it was recently phrased:

> Our uniform ad valorem tax system today falls more heavily on the taxpayer whose mind is honest and whose conscience is tender than upon the dishonest tax-dodger. It bears heavily upon tangible properties like land, and lightly upon stocks, bonds, notes, mortgages, and other invisible properties. It is impossible to reach personal property and get solvent credits on the tax books wherever the uniform ad valorem rule prevails. This system allows gross irregularities. It works in favor of the cunning and against the honest taxpayer, in order to evade the law, fraud, trickery, and even perjury are commonly resorted to. As a result, it punishes good citizens, rebukes industry and thrift, and hinders industrial development.

Today the taxation situation is the gravest question before the people of the state. Upon the solution of the problem depends every forward movement—education, public health, social uplift, and relief work of all kinds. The continuance of the existing system means the progressive impairment of the public morals of the whole people and every day that it remains unchanged adds to the stain upon the State and its people.

The habit of poverty still is shown in the attitude of the people towards the cost of government, but fortunately this is slowly changing. In 1912 the per capita revenue was less than that of any State in the Union. In the same year the per capita cost of the state government was $1.46, but in 1915 it had risen to $1.76 and is still rising as more liberally the state invests for the future. In the former years with South Carolina the state stood at the bottom of the list of states in this respect, but in the latter it had left South Carolina slightly behind. The items of expenditure make an interesting showing.

Object	1912	1915
Charities, Hospitals and Corrections	.49	.39
Public Education	.565	.71
Interest and Outlay	.47	.25
Protection	.09	.10
Public Health	.02	.05
Highways and Recreation	.005	.01
State Government	.09	.14
Miscellaneous	.03	...
Conservation and Development	...	.11
Total	$1.46	$1.76

The general social influence of the industrial development of the state, has been described. Apart from better economic opportunity, the most significant effect is to be seen in the growth of numerous small, brisk, thriving towns which, with increasing modern improvements and with rapidly improving schools, serve as beacon lights to the rural communities which surround them. That is one of the best features of North Carolina industrial life. The large city undoubtedly has its advantages, but a large number of smaller centres is, socially speaking, far more uplifting.

Bright as the prospect is and hopeful as much of the agricultural situation is, there is one menacing feature of the rural life of the state. One million, one hundred and eighty thousand people in North Carolina are landless and homeless. Professor E. C. Branson thus strikingly describes the situation:

> In North Carolina 52 per cent of all our dwellings, in town and country regions, are occupied by renters. Eleven hundred and eighty thousand of our people of both races are landless and homeless.
>
> Twenty-eight states make a better showing than North Carolina in the ownership of homes and farms, and 17 a poorer showing. These 17 states are all in the densely populated industrial areas of the North and East, and in the cotton belt states south of us, where farm tenancy is excessive.
>
> It is well to keep clearly in mind the fact that even in the South, farm tenancy is a white man's problem mainly. Contrary to the popular notion, it is not a negro problem mainly. The white farm tenants of Virginia outnumber the negro farm tenants by nearly

17,000, in North Carolina by 19,000, and in the South at large by nearly 156,000.

And the situation is peculiarly distressing where white and black farm tenants work side by side in nearly equal numbers, as in Halifax, Henry, Nansemond, Northampton, and Westmoreland counties, Virginia, and in 18 counties of North Carolina—mainly in our cotton and tobacco areas.

The tenants in our farm regions, are sojourners, strangers, and pilgrims on the earth. They have no stake in the land. They are tethered to no locality by the ties of ownership. They are forever seeking new fields and pastures green. They have little or no chance to develop an abiding interest in schools and churches, in good roads, in greater attention to public sanitation, in local law and order, in community organizations and enterprises for progress and prosperity, welfare and well-being. Upon an average a little more than half of our farm tenants in the South move every year. In some neighborhoods the ratios of change are larger, in others smaller. Their children change schools and teachers so often that they soon drop out altogether.

As a result wherever we find excessive tenancy we find undue illiteracy. Farm tenancy and illiteracy are twin-born social menaces. They are twins at birth and boon companions throughout life. And neither can be cured without curing the other. Tenancy breeds illiteracy, and illiteracy breeds tenancy among the native born whites of the South. As long as we have tenancy we shall have illiteracy. The increase of illiteracy among white men and women in our country regions since 1850 is due to steadily increasing tenancy among white farmers in fifty counties of the state. Other causes—like sparsity of population and raucous individualism—produce illiteracy, as in our mountain counties and in the Lower Cape Fear Region, but the constant accompaniment of farm tenancy is illiteracy.

Where slave population was densest—the cotton and tobacco counties—are now the regions where farm tenancy, absentee-landlordism, and the crop lien are firmly-established institutions. In the many-crop, livestock-raising counties, farm owners in the main cultivate their own farms and there is no such situation. But in the others, as Professor Branson points out, it is not the negro who suffers. In Warren County negroes own 52 per cent of all owned farms; in Halifax County, 49 per cent; in Vance and Richmond, 36 per cent; in Robeson, 35 per cent, and in Northampton, 30 per cent. All over the State the negro is steadily acquiring land and the number of negro farm owners has increased each year. In 1900 17,520 negroes owned 961,341 acres valued at $8,773,780. In 1910 21,443 negroes owned 1,197,496 acres valued at $22,-

810,089. There are some nineteen thousand more white than colored farm tenants in the State and the negroes own nearly one-third of the farms they cultivate, an increase of twenty-two per cent in the last census period. The home-making instinct is a strong factor in negro uplift and in general it is true that the negro who owns a fair-sized farm is not only quite a good farmer, well above the average, but a good and responsible citizen as well.

The most transforming factor in the recent development of the state is state-wide prohibition. Before the rise of the dispensaries and of local option, conditions had become almost unbearable and prohibition came, not because anything like a majority of the people liked the remedy, but because the disease was becoming of a sort that made any remedy endurable. The dispensary gave the saloon its death blow and local option furnished examples of the beneficent workings of entire suppression of the liquor traffic and converted many who had been hitherto opposed to state-wide prohibition or to any kind of prohibition. Prohibition has many natural enemies in North Carolina. The people have always been highly individualistic and have been averse to the sort of interference with personal liberty that legislation of this sort means. There was also a widespread Scotch-Irish fondness for whiskey. But under the stress of desperate need the people passed the law and the question is a settled one. It has worked well and there is scarcely a community in the state that would favor a return to the old conditions. Of course, it has not stopped drinking; under the most favorable circumstances that could not be accomplished within this generation. But it has vastly reduced it and has practically eliminated public drunkenness, formerly a widespread evil. It has increased private industry and thrift and helped public morals immensely. Crime has decreased tremendously and the entire community is bettered in every way.

In spite of the general lessening of crime, the state has a pre-eminence not to be desired in respect to homicide. In 1913 it led the twenty-six states which compose the registration area in both urban and rural homicides, the figures for the year being 274 and 173, respectively. Seventy-nine per cent of the total were committed by negroes. It is a fact that human life is still far too cheap and the decided uncertainty of punishment has doubtless been a chief contributing cause. Latterly, resort to lynch law has been infrequent.

Within recent years a new movement in the state has gained momentum and has already accomplished a great deal. Certain progressive elements have begun to work in concert for social uplift and betterment. There is sustained and genuine interest in the unfortunate. Under the control of the state a school for the feeble-minded, a refuge for fallen women, an institution for cripples, a juvenile reformatory and a tuberculosis sanitarium have been established. More generous support has been given the hospitals for the insane and the schools for the deaf and dumb and the blind. Prison reform, in spite of crying need and open scandal, has still to come.

Along the same lines has been the advancement in the public health service. A law has at last been passed providing for the keeping of vital statistics. Sanitary campaigns and surveys have educated the people in the prevention of disease. Eleven of the counties now have health officers who give all their time to the duties of the position. Only a few years ago North Carolina had the largest death rate in the Union from typhoid fever. In many counties it is today almost unknown, thanks to health campaigns, the work of health officers and the activity of the state board of health. Smallpox no longer rages as it has done even since the opening of the century. The hookworm is a disappearing pest. The medical examination of school children, now becoming common, is another manifestation of growing interest in the subject.

All of these things reflect confidence in the future. A striking example of this was the action of the legislature of 1917 in providing for the issue of $3,000,000 in bonds as a permanent investment of the state in the physical development of its great institutions of learning and its institutions for the care of the unfortunate. This is practical democracy of a type and on a scale befitting the dignity of the state.

In the realm of the intellect changes are taking place outside school walls. Rural free delivery, the achievement of Senator Marion Butler, has increased newspaper and magazine reading. The mass of the people, more in contact with the world outside and with currents of thought, are better informed and more alive than ever before. North Carolina is not yet a reading community, but there are at last some reasons to hope that it may in time become one. There has been a considerable increase in the number of public libraries, school libraries have grown in size and number, and the state supports a commission for library promotion. There is a wide and growing interest in state history, one of the best visible tokens of which is the creation and support of the State Historical Commission, which is splendidly equipped and installed in a home worthy of it. The activities of the commission, carried on by the secretary, are of the highest value, and a wealth of historical material is being accumulated and placed at the service of investigators. The work of the commission is regarded by experts as equaling the best done by any of the states. Similar work in the collection and preservation of historical material, but on a smaller scale, is being done by the libraries of the University and of Trinity College. At the University an unique collection of economic and sociological data is being made.

Women are rapidly coming to play a more important part in public affairs. Illiteracy among women has been decreased much more rapidly than among men, and the high schools show a much larger enrollment of girls than of boys. One hundred and thirty thousand white women and girls,—about 24 per cent,—in 1910 were earning a living outside of home and home occupations and the number has since been vastly increased. So far there has not been a very active agitation for suffrage, but the movement is growing and in no very long period the change will be made. The movement has behind it no special platform of reform in behalf of women, since the laws of the state are exceedingly favorable to them, and it really seems so far, to a great extent, merely a reflex of the movement elsewhere, the indications being strong that the vast majority of the women of the state are indifferent. If suffrage is conferred while that remains the case, it will be

A MODERN STATE BUILDING AT RALEIGH

The following departments occupy this building: 1. State Library; 2. North Carolina Historical Commission; 3. North Carolina Library Commission; 4. Supreme Court.

a positive evil, since the state is already cursed with a large element of indifferent and ignorant male voters. If, on the other hand, interest is widely aroused, it is within the range of possibility that instead of making little or no difference, as has been the case in the suffrage states, it will prove of tremendous value to North Carolina.

Socially the state is moving forward, slowly and painfully in some respects, rapidly in others. Its conservatism of ignorance is a retrograding characteristic, and the people, always fundamentally more progressive than political leaders have thought them, and in too many cases wanted them to be, are increasingly ready to respond to liberal and progressive leadership. The time may not be far distant when they will demand and force that sort of leadership.

As one contrasts the state as it is with what, with its natural advantages, it should be, there is abundant room for pessimism of darkest hue. But when one contrasts the North Carolina of 1918 with the commonwealth emerging in 1876 from the horror of Reconstruction, or even with the North Carolina of 1900, there remains small excuse for anything but the most roseate optimism. The state has indeed come far since either date. It is a better place to live in. Its standards of life, thought and conduct, public and private, are higher. It is in the midst of an intellectual awakening. It abounds in opportunity. Its people have preserved in large measure their old simplicity and sound and unconscious democratic ideal which, vitalized by social responsibility, they are beginning to apply to the larger activities of government. There is increasing freedom of thought and respect for the right of difference of opinion. While North Carolina has never suffered to the same extent as the other Southern states from what Chancellor Hill called the "deadly paralysis of intellect due to the enforced unanimity of thought within the lines of one party," there has been too much of it, and it is good to see it steadily lessening. There are still many things to be done before North Carolina is abreast of the greatest commonwealths, but it would be flying in the face of history to fail to believe that in spite of the tremendous obstacles and heavy tasks before them, the people of the old commonwealth, now beginning to look forward, will continue to move forward toward the realization of democratic ideals in the new epoch which lies directly ahead.

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